

HOUSE BILL 346

R4, R5
HB 38/20 – ENT

(PRE-FILED)

11r0750
CF SB 435

By: **Delegate Carr**

Requested: September 28, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2021

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Failure to Pay Video Toll – Penalties**

3 FOR the purpose of repealing the requirement that the Motor Vehicle Administration,
4 under certain circumstances, suspend the registration of a motor vehicle that incurs
5 a certain toll violation; altering the authority of the Maryland Transportation
6 Authority to enter certain reciprocal agreements for the enforcement of toll
7 violations; and generally relating to penalties for toll violations.

8 BY repealing and reenacting, without amendments,

9 Article – Transportation

10 Section 21–1414(a)(1), (4), and (9) through (12) and (c)(1)

11 Annotated Code of Maryland

12 (2020 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Transportation

15 Section 21–1414(d)(4) and (i) and 21–1415

16 Annotated Code of Maryland

17 (2020 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 21-1414.

2 (a) (1) In this section the following words have the meanings indicated.

3 (4) "Notice of toll due" or "notice" means an administrative notice of a video
4 toll transaction.

5 (9) "Toll violation" means the failure to pay a video toll within the time
6 prescribed by the Authority in a notice of toll due.

7 (10) "Video monitoring system" means a device installed to work in
8 conjunction with a toll collection facility that produces a recorded image when a video toll
9 transaction occurs.

10 (11) "Video toll" means the amount assessed by the Authority when a video
11 toll transaction occurs.

12 (12) "Video toll transaction" means any transaction in which a motor vehicle
13 does not or did not pay a toll at the time of passage through a toll collection facility with a
14 video monitoring system.

15 (c) (1) Failure of the person alleged to be liable to pay the video toll under a
16 notice of toll due by the date stated on the notice shall constitute a toll violation subject to
17 a civil citation and a civil penalty, which shall be assessed 15 days after the toll violation
18 occurs, as provided for in the regulations of the Authority.

19 (d) (4) A citation shall also include:

20 (i) Information advising the person alleged to be liable under this
21 section of the manner and the time in which liability alleged in the citation may be
22 contested;

23 (ii) The statutory defenses described in subsection (g) of this section
24 that were originally included in the notice of toll due; and

25 (iii) A warning that failure to pay the video toll and civil penalty, to
26 contest liability in the manner and time prescribed, or to appear at a trial requested is an
27 admission of liability and a waiver of available defenses, and may result in the refusal [or
28 suspension] of the motor vehicle registration and referral for collection.

29 (i) (1) The Administration shall refuse [or suspend] the registration of a
30 motor vehicle that incurs a toll violation under this section if:

31 (i) The Maryland Transportation Authority notifies the
32 Administration that a registered owner of the motor vehicle has been served with a citation
33 in accordance with this section and has failed to:

1 1. Pay the video toll and the civil penalty for the toll violation
2 by the date specified in the citation; and

3 2. Contest liability for the toll violation by the date identified
4 and in the manner specified in the citation; or

5 (ii) The Maryland Transportation Authority or the District Court
6 notifies the Administration that a person who elected to contest liability for a toll violation
7 under this section has failed to:

8 1. Appear for trial or has been determined to be guilty of the
9 toll violation; and

10 2. Pay the video toll and civil penalty.

11 (2) In conjunction with the Maryland Transportation Authority, the
12 Administration may adopt regulations and develop procedures to carry out the refusal [or
13 suspension] of a registration under this subsection.

14 (3) The procedures in this subsection are in addition to any other penalty
15 provided by law for a toll violation under this section.

16 (4) This subsection may be applied to enforce a reciprocal agreement
17 entered into by the State and another jurisdiction in accordance with § 21–1415 of this
18 subtitle.

19 21–1415.

20 (a) The Maryland Transportation Authority in consultation with the
21 Administrator may enter into an agreement with another jurisdiction that provides for
22 reciprocal enforcement of toll violations between the State and the other jurisdiction.

23 (b) An agreement made under this section shall provide that drivers and vehicles
24 licensed in the State, while operating on the highways of another jurisdiction, shall receive
25 benefits, privileges, and exemptions of a similar kind with regard to toll enforcement as are
26 extended to drivers and vehicles licensed or registered in the other jurisdiction while
27 operated in the State.

28 (c) A reciprocal agreement under this section may provide for enforcement of toll
29 violations by refusal [or suspension] of the registration of a motor vehicle in accordance
30 with § 21–1414 of this subtitle.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
32 1, 2021.