

HOUSE BILL 971

R5, L2
HB 1132/20 – ENT

1lr1077

By: **Delegate Mautz**

Introduced and read first time: February 5, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2021

CHAPTER _____

1 AN ACT concerning

2 **Talbot County Speed Monitoring Systems**

3 FOR the purpose of authorizing the placement and use of a speed monitoring system at the
4 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
5 County, subject to certain placement and signage requirements; requiring the fines
6 collected by the Town of Oxford as a result of violations enforced by a speed
7 monitoring system be used to assist in covering the cost of roadway and pedestrian
8 safety improvements in and around the intersection of Maryland Route 333 (Oxford
9 Road) and Bonfield Avenue; requiring a certain real-time display of a driver's
10 traveling speed for a speed monitoring system operating at the intersection of
11 Maryland Route 333 (Oxford Road) and Bonfield Avenue; providing for the
12 termination of this Act; making a technical correction; and generally relating to the
13 placement and use of a speed monitoring system in Talbot County.

14 BY repealing and reenacting, with amendments,
15 Article – Courts and Judicial Proceedings
16 Section 7–302(e)(4)
17 Annotated Code of Maryland
18 (2020 Replacement Volume)

19 BY repealing and reenacting, without amendments,
20 Article – Transportation
21 Section 21–809(a)(1) and (8), (b)(1)(i) ~~and (viii)~~, and (c)
22 Annotated Code of Maryland

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.



(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(b)(1)(v), ~~(vi), and (vii)~~ through (viii)
Annotated Code of Maryland
(2020 Replacement Volume)

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

Article – Courts and Judicial Proceedings

7–302.

(e) (4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems or school bus monitoring cameras; and

2. Subject to subparagraphs (ii) and (iii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.

(iii) The fines collected by Prince George’s County as a result of violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the costs of:

1. Examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George’s County;

2. Reporting its findings and recommendations on any solutions to these safety issues; and

3. Implementing any solutions to these safety issues.

(IV) FROM THE FINES COLLECTED BY THE TOWN OF OXFORD AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE IN TALBOT COUNTY, ANY BALANCE REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE REMITTED TO THE COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COST OF ROADWAY AND PEDESTRIAN SAFETY IMPROVEMENTS IN AND AROUND THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE.

Article – Transportation

21–809.

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

(8) “Speed monitoring system” means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

(b) (1) (i) A speed monitoring system may not be used in a local jurisdiction under this section unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

(v) An ordinance or resolution adopted by the governing body of a local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or places a mobile or stationary speed monitoring system to or at a location where a speed monitoring system had not previously been moved or placed, the local jurisdiction may not issue a citation for a violation recorded by that speed monitoring system:

1. Until signage is installed in accordance with subparagraph [(vii)] (VIII) of this paragraph; and

2. For at least the first 15 calendar days after the signage is installed.

(vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

1. In Montgomery County, on a highway in a residential district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles

1 per hour, which speed limit was established using generally accepted traffic engineering
2 practices;

3 2. In a school zone with a posted speed limit of at least 20
4 miles per hour; [or]

5 3. In Prince George's County:

6 A. Subject to subparagraph [(vii)] **(VII)1** of this paragraph,
7 on Maryland Route 210 (Indian Head Highway); or

8 B. On that part of a highway located within the grounds of
9 an institution of higher education as defined in § 10–101(h) of the Education Article, or
10 within one-half mile of the grounds of a building or property used by the institution of
11 higher education where generally accepted traffic and engineering practices indicate that
12 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
13 institution of higher education; **OR**

14 **4. SUBJECT TO SUBPARAGRAPH (VII)2 OF THIS**
15 **PARAGRAPH, AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
16 **AND BONFIELD AVENUE IN TALBOT COUNTY.**

17 (vii) **1.** Not more than three speed monitoring systems may be
18 placed on Maryland Route 210 (Indian Head Highway).

19 **2. NOT MORE THAN ONE SPEED MONITORING SYSTEM**
20 **MAY BE PLACED AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
21 **AND BONFIELD AVENUE.**

22 (viii) Before activating a speed monitoring system, the local
23 jurisdiction shall:

24 1. Publish notice of the location of the speed monitoring
25 system on its website and in a newspaper of general circulation in the jurisdiction;

26 2. Ensure that each sign that designates a school zone is
27 proximate to a sign that:

28 A. Indicates that speed monitoring systems are in use in the
29 school zone; and

30 B. Is in accordance with the manual for and the specifications
31 for a uniform system of traffic control devices adopted by the State Highway Administration
32 under § 25–104 of this article;

1 3. With regard to a speed monitoring system established on
2 Maryland Route 210 (Indian Head Highway) in Prince George's County ~~or~~, based on
3 proximity to an institution of higher education under subparagraph (vi)(3) of this
4 paragraph, **OR AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
5 **AND BONFIELD AVENUE**, ensure that all speed limit signs approaching and within the
6 segment of highway on which the speed monitoring system is located include signs that:

7 A. Are in accordance with the manual and specifications for
8 a uniform system of traffic control devices adopted by the State Highway Administration
9 under § 25–104 of this article; and

10 B. Indicate that a speed monitoring system is in use; and

11 4. With regard to a speed monitoring system placed on
12 Maryland Route 210 (Indian Head Highway) in Prince George's County **OR AT THE**
13 **INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD**
14 **AVENUE**, ensure that each sign that indicates that a speed monitoring system is in use is
15 proximate to a device that displays a real-time posting of the speed at which a driver is
16 traveling.

17 (c) (1) Unless the driver of the motor vehicle received a citation from a police
18 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
19 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is
20 recorded by a speed monitoring system while being operated in violation of this subtitle.

21 (2) A civil penalty under this subsection may not exceed \$40.

22 (3) For purposes of this section, the District Court shall prescribe:

23 (i) A uniform citation form consistent with subsection (d)(1) of this
24 section and § 7–302 of the Courts Article; and

25 (ii) A civil penalty, which shall be indicated on the citation, to be paid
26 by persons who choose to prepay the civil penalty without appearing in District Court.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2021. It shall remain effective for a period of 5 years and, at the end of September
29 30, 2026, this Act, with no further action required by the General Assembly, shall be
30 abrogated and of no further force and effect.