

SENATE BILL 888

R5

1lr3007

By: **Senator Beidle**

Introduced and read first time: February 9, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Speed Monitoring Systems – Maryland Route 175**
3 **(Jessup Road)**

4 FOR the purpose of authorizing the placement and use of speed monitoring systems on
5 Maryland Route 175 (Jessup Road) in Anne Arundel County between the Maryland
6 Route 175/295 interchange and the Anne Arundel County–Howard County line,
7 subject to certain placement and signage requirements; making a technical
8 correction; and generally relating to the placement and use of speed monitoring
9 systems in Anne Arundel County.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 21–809(a)(1) and (8), (b)(1)(i) and (viii), and (c)
13 Annotated Code of Maryland
14 (2020 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 21–809(b)(1)(v) and (vi)
18 Annotated Code of Maryland
19 (2020 Replacement Volume)

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

22 **Article – Transportation**

23 21–809.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

19 1. In Montgomery County, on a highway in a residential
20 district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles
21 per hour, which speed limit was established using generally accepted traffic engineering
22 practices;

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

25 3. In Prince George’s County:

26 A. Subject to subparagraph (vii) of this paragraph, on
27 Maryland Route 210 (Indian Head Highway); or

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

34 4. **IN ANNE ARUNDEL COUNTY, ON MARYLAND ROUTE**
35 **175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND**

1 **THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE.**

2 (viii) Before activating a speed monitoring system, the local
3 jurisdiction shall:

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

6 2. Ensure that each sign that designates a school zone is
7 proximate to a sign that:

8 A. Indicates that speed monitoring systems are in use in the
9 school zone; and

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

13 3. With regard to a speed monitoring system established on
14 Maryland Route 210 (Indian Head Highway) in Prince George’s County or based on
15 proximity to an institution of higher education under subparagraph (vi)³ of this paragraph,
16 ensure that all speed limit signs approaching and within the segment of highway on which
17 the speed monitoring system is located include signs that:

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

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

22 4. With regard to a speed monitoring system placed on
23 Maryland Route 210 (Indian Head Highway) in Prince George’s County, ensure that each
24 sign that indicates that a speed monitoring system is in use is proximate to a device that
25 displays a real–time posting of the speed at which a driver is traveling.

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

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

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

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2021.