

HOUSE BILL 813

R5, R1

2lr0333

By: **Montgomery County Delegation**

Introduced and read first time: February 3, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Speed and School Bus Monitoring Systems**

3 **MC 03–22**

4 FOR the purpose of requiring the Montgomery County Department of Transportation, in
5 conjunction with the State Highway Administration, to construct a median divider
6 at certain locations where certain citations are issued for violations recorded by
7 school bus monitoring systems; repealing a prohibition on implementing new speed
8 monitoring systems to enforce speed limits that have been decreased under a certain
9 provision of law; requiring the fines collected as a result of violations enforced by
10 certain new speed monitoring systems to be used to enhance safety at certain
11 locations; and generally relating to speed and school bus monitoring systems in
12 Montgomery County.

13 BY adding to
14 Article – Transportation
15 Section 8–663
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Transportation
20 Section 21–803(a)
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2021 Supplement)
23 (As enacted by Chapter 689 of the Acts of the General Assembly of 2021)

24 BY repealing and reenacting, with amendments,
25 Article – Courts and Judicial Proceedings
26 Section 7–302(e)(4)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2020 Replacement Volume and 2021 Supplement)

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

Article – Transportation

8–663.

(A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

**(B) (1) THE MONTGOMERY COUNTY DEPARTMENT OF
TRANSPORTATION, IN CONJUNCTION WITH THE ADMINISTRATION, SHALL
CONSTRUCT A MEDIAN DIVIDER AT EACH LOCATION ON A STATE HIGHWAY WITH TWO
OR MORE TRAFFIC LANES IN EACH DIRECTION WHERE, DURING A 12-MONTH
PERIOD, MORE THAN 1,000 CITATIONS ARE ISSUED BY A SCHOOL BUS MONITORING
CAMERA UNDER § 21–706.1 OF THIS ARTICLE FOR VEHICLES RECORDED
APPROACHING A SCHOOL BUS FROM THE OPPOSITE DIRECTION.**

**(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
COST OF CONSTRUCTION FOR ANY MEDIAN DIVIDER CONSTRUCTED UNDER THIS
SECTION SHALL BE SHARED EQUALLY BETWEEN THE MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION AND THE ADMINISTRATION.**

**(II) IF THE TOTAL AMOUNT OF FINES COLLECTED FOR
CITATIONS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND ISSUED
FOR VIOLATIONS RECORDED AT A PARTICULAR LOCATION IS INSUFFICIENT TO PAY
FOR MONTGOMERY COUNTY’S SHARE OF THE COST OF THE REQUIRED MEDIAN
DIVIDER AT THAT LOCATION, THE ADMINISTRATION SHALL PAY THE REMAINING
COST.**

21–803.

**(a) (1) Except as provided in paragraphs (3) and (4) of this subsection, if, on
the basis of an engineering and traffic investigation, a local authority determines that any
maximum speed limit specified in this subtitle is greater or less than reasonable or safe
under existing conditions on any part of a highway in its jurisdiction, it may establish a
reasonable and safe maximum speed limit for that part of the highway, which may:**

(i) Decrease the limit at an intersection;

**(ii) Increase the limit in an urban district to not more than 50 miles
per hour;**

(iii) Decrease the limit in an urban district; or

(iv) Decrease the limit outside an urban district to not less than 25 miles per hour.

(2) An engineering and traffic investigation is not required to conform a posted maximum speed limit in effect on December 31, 1974, to a different limit specified in § 21–801.1(b) of this subtitle.

(3) Calvert County may decrease the maximum speed limit to not less than 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south of Lore Road without performing an engineering and traffic investigation, regardless of whether the highway is inside an urban district.

(4) (i) This paragraph applies only to:

1. Montgomery County; and

2. Municipalities located in Montgomery County.

(ii) A local authority may decrease the maximum speed limit to not less than 15 miles per hour on a highway only after performing an engineering and traffic investigation.

[(iii) A local authority may not implement a new speed monitoring system to enforce speed limits on any portion of a highway for which the speed limit has been decreased under this paragraph.]

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), (iii), [and] (iv), **AND (VI)** 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) 1. From the fines collected by Baltimore City as a result of violations enforced by speed monitoring systems on Interstate 83, 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 Baltimore City Department of Transportation to be used solely to assist in covering the cost of roadway improvements on Interstate 83 in Baltimore City.

2. Fines remitted to the Baltimore City Department of Transportation under subparagraph (iv)1 of this paragraph are supplemental to and are not intended to take the place of funding that would otherwise be appropriated for uses described under subparagraph (iv)1 of this paragraph.

(v) From the fines collected by Anne Arundel County as a result of violations enforced by speed monitoring systems on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line, 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 speed reduction measures and roadway and pedestrian safety improvements on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line.

(VI) 1. FROM THE FINES COLLECTED BY MONTGOMERY COUNTY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS INSTALLED ON OR AFTER OCTOBER 1, 2022, ON ANY PORTION OF A HIGHWAY FOR WHICH THE SPEED LIMIT WAS DECREASED UNDER § 21-803 OF THE TRANSPORTATION ARTICLE, ANY BALANCE REMAINING AFTER THE ALLOCATION OF

1 FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE USED ONLY TO
2 ENHANCE SAFETY AT LOCATIONS IN MONTGOMERY COUNTY AT WHICH HIGH
3 NUMBERS OF VIOLATIONS ARE RECORDED BY SPEED MONITORING SYSTEMS, AS
4 DETERMINED BY THE MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION.

5 2. ANY FUNDS USED IN ACCORDANCE WITH
6 SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE USED ONLY AT THE
7 LOCATION OF THE SPEED MONITORING SYSTEM THAT RECORDED THE VIOLATION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2022.