HOUSE BILL 813

By: Montgomery County Delegation
Introduced and read first time: February 3, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Montgomery County – Speed and School Bus Monitoring Systems

MC 03–22

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
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
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

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

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

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