

SENATE BILL 75

R5

2lr0893

(PRE-FILED)

By: **Senator Reilly**

Requested: October 21, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Speed Monitoring Systems – Patuxent Road**

3 FOR the purpose of authorizing the placement and use of speed monitoring systems on
4 Patuxent Road through Historic Woodwardville in Anne Arundel County, subject to
5 certain placement and signage requirements; requiring that the fines collected by
6 Anne Arundel County as a result of violations enforced by certain speed monitoring
7 systems be used to assist in covering the cost of speed reduction measures and
8 roadway and pedestrian safety improvements on Patuxent Road through Historic
9 Woodwardville; and generally relating to the placement and use of speed monitoring
10 systems in Anne Arundel County.

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 7–302(e)(4)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 21–809(a)(1) and (8), (b)(1)(i), and (c)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2021 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Transportation
23 Section 21–809(b)(1)(vi) and (viii)
24 Annotated Code of Maryland
25 (2020 Replacement Volume and 2021 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Courts and Judicial Proceedings**

3 7–302.

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

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

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

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

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

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

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

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

29 3. Implementing any solutions to these safety issues.

30 (iv) 1. From the fines collected by Baltimore City as a result of
31 violations enforced by speed monitoring systems on Interstate 83, any balance remaining
32 after the allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to
33 the Comptroller for distribution to the Baltimore City Department of Transportation to be
34 used solely to assist in covering the cost of roadway improvements on Interstate 83 in
35 Baltimore City.

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

5 (v) From the fines collected by Anne Arundel County as a result of
6 violations enforced by speed monitoring systems on Maryland Route 175 (Jessup Road)
7 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard
8 County line, any balance remaining after the allocation of fines under subparagraph (i)1 of
9 this paragraph shall be remitted to the Comptroller for distribution to the State Highway
10 Administration to be used solely to assist in covering the cost of speed reduction measures
11 and roadway and pedestrian safety improvements on Maryland Route 175 (Jessup Road)
12 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard
13 County line.

14 **(VI) FROM THE FINES COLLECTED BY ANNE ARUNDEL COUNTY**
15 **AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS ON**
16 **PATUXENT ROAD THROUGH HISTORIC WOODWARDVILLE, ANY BALANCE**
17 **REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS**
18 **PARAGRAPH SHALL BE USED SOLELY TO ASSIST IN COVERING THE COST OF SPEED**
19 **REDUCTION MEASURES AND ROADWAY AND PEDESTRIAN SAFETY IMPROVEMENTS**
20 **ON PATUXENT ROAD THROUGH HISTORIC WOODWARDVILLE.**

21 Article – Transportation

22 21–809.

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

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

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

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

33 1. In Montgomery County or Prince George’s County, on a
34 highway in a residential district, as defined in § 21–101 of this title, with a maximum posted
35 speed limit of 35 miles per hour, which speed limit was established using generally accepted
36 traffic engineering practices;

1 2. In a school zone with a posted speed limit of at least 20
2 miles per hour;

3 3. In Prince George's County:

4 A. Subject to subparagraph (vii)¹ of this paragraph, on
5 Maryland Route 210 (Indian Head Highway); or

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

12 4. Subject to subparagraph (vii)² of this paragraph, on
13 Interstate 83 in Baltimore City; [or]

14 5. In Anne Arundel County, on Maryland Route 175 (Jessup
15 Road) between the Maryland Route 175/295 interchange and the Anne Arundel
16 County–Howard County line; **OR**

17 **6. IN ANNE ARUNDEL COUNTY, ON PATUXENT ROAD**
18 **THROUGH HISTORIC WOODWARDVILLE.**

19 (viii) Before activating a speed monitoring system, the local
20 jurisdiction shall:

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

23 2. Ensure that each sign that designates a school zone is
24 proximate to a sign that:

25 A. Indicates that speed monitoring systems are in use in the
26 school zone; and

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

30 3. With regard to a speed monitoring system established on
31 Maryland Route 210 (Indian Head Highway) in Prince George's County, based on proximity
32 to an institution of higher education under subparagraph (vi)³ of this paragraph, on
33 Interstate 83 in Baltimore City, [or] in Anne Arundel County on Maryland Route 175

1 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel
2 County–Howard County line, **OR IN ANNE ARUNDEL COUNTY ON PATUXENT ROAD**
3 **THROUGH HISTORIC WOODWARDVILLE**, ensure that all speed limit signs approaching
4 and within the segment of highway on which the speed monitoring system is located include
5 signs that:

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

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

10 4. With regard to a speed monitoring system placed on
11 Maryland Route 210 (Indian Head Highway) in Prince George’s County, Interstate 83 in
12 Baltimore City, [or] in Anne Arundel County on Maryland Route 175 (Jessup Road)
13 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard
14 County line, **OR IN ANNE ARUNDEL COUNTY ON PATUXENT ROAD THROUGH**
15 **HISTORIC WOODWARDVILLE**, ensure that each sign that indicates that a speed
16 monitoring system is in use is proximate to a device that displays a real–time posting of
17 the speed at which a driver is traveling.

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

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

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

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

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

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2022. It shall remain effective for a period of 5 years and, at the end of September
30 30, 2027, this Act, with no further action required by the General Assembly, shall be
31 abrogated and of no further force and effect.