

HOUSE BILL 700

R5, L2

3lr1021
CF SB 303

By: **Talbot County Delegation**

Introduced and read first time: February 6, 2023

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2023

CHAPTER _____

1 AN ACT concerning

2 **Talbot County – Speed Monitoring Systems – Intersection of Maryland Route**
3 **333 (Oxford Road) and Bonfield Avenue**

4 FOR the purpose of authorizing the placement and use of a speed monitoring system at the
5 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
6 County, subject to placement and signage requirements; requiring the fines collected
7 by the Town of Oxford as a result of violations enforced by a speed monitoring system
8 to be used to assist in covering the cost of roadway and pedestrian safety
9 improvements in and around the intersection of Maryland Route 333 (Oxford Road)
10 and Bonfield Avenue; requiring a certain real-time display of a driver's traveling
11 speed for a speed monitoring system operating at the intersection of Maryland Route
12 333 (Oxford Road) and Bonfield Avenue; and generally relating to the placement and
13 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 and 2022 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Transportation
21 Section 21–809(a)(1) and (8), (b)(1)(i) and (v), and (c)
22 Annotated Code of Maryland
23 (2020 Replacement Volume and 2022 Supplement)

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.



1 BY repealing and reenacting, with amendments,
2 Article – Transportation
3 Section 21–809(b)(1)(vi) through (viii)
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2022 Supplement)

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

8 **Article – Courts and Judicial Proceedings**

9 7–302.

10 (e) (4) (i) Except as provided in paragraph (5) of this subsection, from the
11 fines collected by a political subdivision as a result of violations enforced by speed
12 monitoring systems, school bus monitoring cameras, or bus lane monitoring systems, a
13 political subdivision:

14 1. May recover the costs of implementing and administering
15 the speed monitoring systems, school bus monitoring cameras, or bus lane monitoring
16 systems; and

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

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

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

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

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

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

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

9 1. Until signage is installed in accordance with
10 subparagraph (viii) of this paragraph; and

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

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

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

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

22 3. In Prince George's County:

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

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

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

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

1 **6. SUBJECT TO SUBPARAGRAPH (VII)³ OF THIS**
2 **PARAGRAPH, AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
3 **AND BONFIELD AVENUE IN TALBOT COUNTY.**

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

6 2. Not more than two speed monitoring systems may be
7 placed on Interstate 83 in Baltimore City.

8 **3. NOT MORE THAN ONE SPEED MONITORING SYSTEM**
9 **MAY BE PLACED AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
10 **AND BONFIELD AVENUE IN TALBOT COUNTY.**

11 (viii) Before activating a speed monitoring system, the local
12 jurisdiction shall:

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

15 2. Ensure that each sign that designates a school zone is
16 proximate to a sign that:

17 A. Indicates that speed monitoring systems are in use in the
18 school zone; and

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

22 3. With regard to a speed monitoring system established on
23 Maryland Route 210 (Indian Head Highway) in Prince George’s County, based on proximity
24 to an institution of higher education under subparagraph (vi)³ of this paragraph, on
25 Interstate 83 in Baltimore City, [or] in Anne Arundel County on Maryland Route 175
26 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel
27 County–Howard County line, **OR AT THE INTERSECTION OF MARYLAND ROUTE 333**
28 **(OXFORD ROAD) AND BONFIELD AVENUE IN TALBOT COUNTY**, ensure that all speed
29 limit signs approaching and within the segment of highway on which the speed monitoring
30 system is located include signs that:

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

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

1 4. With regard to a speed monitoring system placed on
 2 Maryland Route 210 (Indian Head Highway) in Prince George’s County, Interstate 83 in
 3 Baltimore City, [or] in Anne Arundel County on Maryland Route 175 (Jessup Road)
 4 between the Maryland Route 175/295 interchange and the Anne Arundel–Howard County
 5 line, **OR AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND**
 6 **BONFIELD AVENUE IN TALBOT COUNTY**, ensure that each sign that indicates that a
 7 speed monitoring system is in use is proximate to a device that displays a real–time posting
 8 of the speed at which a driver is traveling.

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

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

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

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

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 20 October 1, 2023. It shall remain effective for a period of 5 years and, at the end of September
 21 30, 2028, this Act, with no further action required by the General Assembly, shall be
 22 abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.