

SENATE BILL 961

R5

3lr3131
CF HB 1287

By: **Senator A. Washington**

Introduced and read first time: February 27, 2023

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – School Bus Monitoring Cameras – Issuance of Citations**

3 FOR the purpose of extending the time period within which a law enforcement agency is
4 required to mail certain citations for violations recorded by a school bus monitoring
5 camera; and generally relating to school bus monitoring cameras.

6 BY repealing and reenacting, without amendments,
7 Article – Transportation
8 Section 21–706.1(c)
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2022 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 21–706.1(f) and (h)(5)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2022 Supplement)

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

18 **Article – Transportation**

19 21–706.1.

20 (c) (1) A school bus monitoring camera may not be used in a local jurisdiction
21 under this section unless its use is authorized by the governing body of the local jurisdiction
22 by local law enacted after reasonable notice and a public hearing.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) If authorized by the governing body of the local jurisdiction, a law
2 enforcement agency, in consultation with the county board of education, may place school
3 bus monitoring cameras on school buses in the county.

4 (f) (1) Subject to the provisions of paragraphs (2) through (5) of this
5 subsection, a law enforcement agency shall mail to the owner liable under subsection (e) of
6 this section a citation that shall include:

7 (i) The name and address of the registered owner of the vehicle;

8 (ii) The registration number of the motor vehicle involved in the
9 violation;

10 (iii) The violation charged;

11 (iv) To the extent possible, the location of the violation;

12 (v) The date and time of the violation;

13 (vi) A copy of the recorded image;

14 (vii) The amount of the civil penalty imposed and the date by which
15 the civil penalty must be paid;

16 (viii) A signed statement by a technician employed by the law
17 enforcement agency that, based on inspection of recorded images, the motor vehicle was
18 being operated during the commission of a violation;

19 (ix) A statement that recorded images are evidence of a violation; and

20 (x) Information advising the person alleged to be liable under this
21 section:

22 1. Of the manner and time in which liability as alleged in the
23 citation may be contested in the District Court; and

24 2. That failure to pay the civil penalty or to contest liability
25 in a timely manner is an admission of liability and may result in refusal or suspension of
26 the motor vehicle registration.

27 (2) The law enforcement agency may mail a warning notice in place of a
28 citation to the owner liable under subsection (e) of this section.

29 (3) (i) Before mailing a citation to a motor vehicle rental company liable
30 under subsection (e) of this section, a law enforcement agency shall mail a notice to the
31 motor vehicle rental company stating that a citation will be mailed to the motor vehicle

1 rental company unless, within 45 days of receiving the notice, the motor vehicle rental
2 company provides the law enforcement agency with:

3 1. A statement made under oath that states the name and
4 last known mailing address of the individual driving or renting the motor vehicle when the
5 violation occurred;

6 2. A. A statement made under oath that states that the
7 motor vehicle rental company is unable to determine who was driving or renting the vehicle
8 at the time the violation occurred because the motor vehicle was stolen at the time of the
9 violation; and

10 B. A copy of the police report associated with the motor
11 vehicle theft claimed under item A of this item; or

12 3. Payment for the penalty associated with the violation.

13 (ii) A law enforcement agency may not mail a citation to a motor
14 vehicle rental company liable under subsection (e) of this section if the motor vehicle rental
15 company complies with subparagraph (i) of this paragraph.

16 (4) Except as provided in paragraph (3) of this subsection and subsection
17 (h)(5) of this section, a citation issued under this section shall be mailed no later than [2
18 weeks] **30 DAYS** after the alleged violation.

19 (5) A person who receives a citation under paragraph (1) of this subsection
20 may:

21 (i) Pay the civil penalty, in accordance with instructions on the
22 citation, directly to the county; or

23 (ii) Elect to stand trial for the alleged violation.

24 (h) (5) (i) If the District Court finds that the person named in the citation
25 was not operating the vehicle at the time of the violation or receives evidence under
26 paragraph (4)(ii)2 of this subsection identifying the person driving the vehicle at the time
27 of the violation, the clerk of the court shall provide to the law enforcement agency issuing
28 the citation a copy of any evidence substantiating who was operating the vehicle at the time
29 of the violation.

30 (ii) On the receipt of substantiating evidence from the District Court
31 under subparagraph (i) of this paragraph, the law enforcement agency may issue a citation
32 as provided in subsection (f) of this section to the person that the evidence indicates was
33 operating the vehicle at the time of the violation.

1 (iii) A citation issued under subparagraph (ii) of this paragraph shall
2 be mailed no later than ~~[2 weeks]~~ **30 DAYS** after receipt of the evidence from the District
3 Court.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2023.