

SB0390/153820/1

BY: Senator Folden

AMENDMENTS TO SENATE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “without” and substitute “with”; in line 11, strike “21–809(a)(1), (2), and (8), (b)(1)(i), and (c)(1)” and substitute “21–809(a), (d)(1)(viii), and (e)(1)”; in line 14, strike “with” and substitute “without”; and in line 16, strike “21–809(d)(1)(viii) and (e)(1)” and substitute “21–809(b)(1)(i) and (c)(1)”.

AMENDMENT NO. 2

On page 2, after line 6 insert:

“(3) (i) “Erroneous violation” means a potential violation submitted by a speed monitoring system contractor for review by an agency that is apparently inaccurate based on a technical variable that is under the control of the contractor.

(ii) “Erroneous violation” includes a potential violation based on:

1. A recorded image of a registration plate that does not match the registration plate issued for the motor vehicle in the recorded image;
2. A recorded image that shows a stopped vehicle or no progression;
3. An incorrectly measured speed for a motor vehicle;
4. A measured speed of a motor vehicle that is below the threshold speed that would subject the owner to a civil citation under this section;

5. A recorded image that was taken outside of the hours and days that speed monitoring systems are authorized for use in school zones; and

6. A recorded image that was taken by a speed monitoring system with an expired calibration certificate.

(4) (i) "Owner" means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of 6 months or more.

(ii) "Owner" does not include:

1. A motor vehicle rental or leasing company; or

2. A holder of a special registration plate issued under Title 13, Subtitle 9, Part III of this article.

(5) "Program administrator" means an employee or a representative of the local jurisdiction designated by the local jurisdiction to oversee a contract with a speed monitoring system contractor.

(6) "REASONABLE TRAINING" MEANS A LEVEL OF EDUCATION, INSTRUCTION, AND PRACTICAL EXPERIENCE SUFFICIENT TO ENSURE COMPETENCY IN THE INSPECTION AND INTERPRETATION OF THE RECORDED IMAGES GENERATED BY THE SPEED MONITORING SYSTEM.

[(6)] (7) "Recorded image" means an image recorded by a speed monitoring system:

(i) On:

1. A photograph;

2. A microphotograph;
3. An electronic image;
4. Videotape; or
5. Any other medium; and

(ii) Showing:

1. The rear of a motor vehicle;
2. At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and
3. On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

~~[(7)]~~ **(8)** “School zone” means a designated roadway segment within up to a half-mile radius of a school for any of grades kindergarten through grade 12 where school-related activity occurs, including:

- (i) Travel by students to or from school on foot or by bicycle; or
- (ii) The dropping off or picking up of students by school buses or other vehicles.”;

in line 7, strike “(8)” and substitute “**(9)**”; and after line 9 insert:

~~[(9)]~~ **(10)** “Speed monitoring system operator” means a representative of an agency or contractor that operates a speed monitoring system.”.

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