HOUSE BILL 988

R5 5lr1033

HB 1369/24 – ENT

By: Montgomery County Delegation

Introduced and read first time: January 31, 2025 Assigned to: Environment and Transportation

A BILL ENTITLED

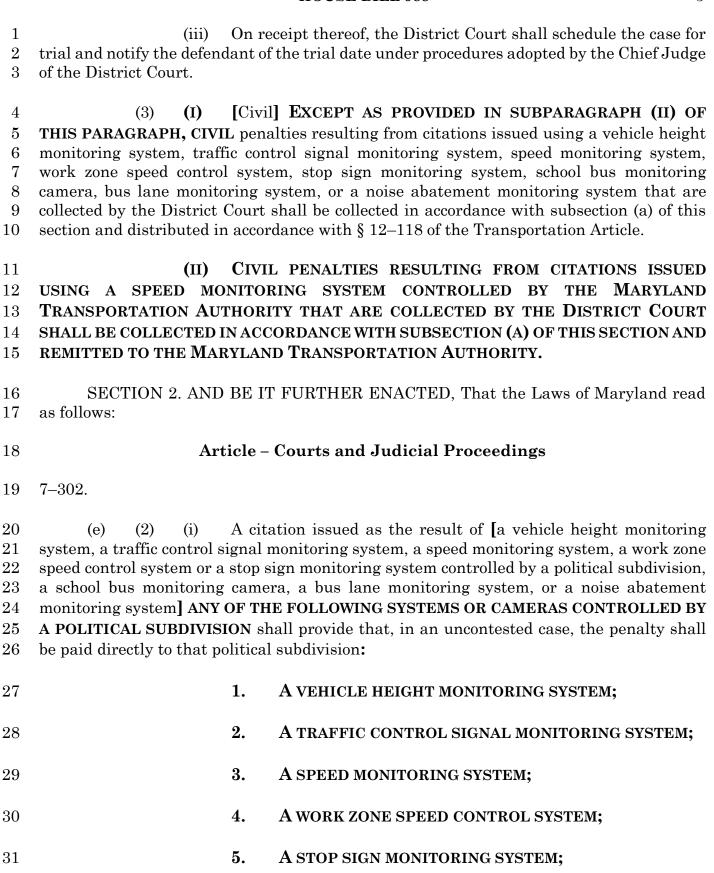
1	AN ACT concerning
2 3	Montgomery County - Speed Monitoring Systems - Maryland Route 200 (Intercounty Connector)
4	$ m MC~10 ext{}25$
5 6 7 8 9 10	FOR the purpose of authorizing the placement and use by the Maryland Transportation Authority of speed monitoring systems on Maryland Route 200 (Intercounty Connector) in Montgomery County; requiring the District Court to remit to the Authority any civil penalties collected by the Court resulting from a citation issued using a speed monitoring system operated by the Authority; requiring the State Highway Administration to provide the Authority with access to certain systems and contacts; and generally relating to the placement and use of speed monitoring
12	systems on Maryland Route 200 (Intercounty Connector) in Montgomery County.
13	BY repealing and reenacting, without amendments,
14	Article – Courts and Judicial Proceedings
15	Section 7–302(a)
16	Annotated Code of Maryland
17	(2020 Replacement Volume and 2024 Supplement)
18	BY repealing and reenacting, with amendments,
19	Article – Courts and Judicial Proceedings
20	Section $7-302(e)(1)$ through (3)
21	Annotated Code of Maryland
22	(2020 Replacement Volume and 2024 Supplement)
23	BY repealing and reenacting, with amendments,
24	Article – Courts and Judicial Proceedings
25	Section 7–302(e)(2)
26	Annotated Code of Maryland
27	(2020 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (As enacted by Chapters 624 and 625 of the Acts of the General Assembly of 2024) 2 BY repealing and reenacting, with amendments, 3 Article – Courts and Judicial Proceedings 4 Section 7-302(e)(2)Annotated Code of Maryland 5 (2020 Replacement Volume and 2024 Supplement) 6 7 (As enacted by Chapter 678 of the Acts of the General Assembly of 2024) 8 BY repealing and reenacting, without amendments, Article – Transportation 9 10 Section 21–809(a)(1) and (8), (b)(1)(vii), and (c) 11 Annotated Code of Maryland 12 (2020 Replacement Volume and 2024 Supplement) 13 BY repealing and reenacting, with amendments, 14 Article – Transportation 15 Section 21–809(a)(2) and (5), (b)(1)(i), (vi), (viii), and (x), (4)(i), (5), and (6), (d)(5), (i), 16 (i)(2), and (k)17 Annotated Code of Maryland (2020 Replacement Volume and 2024 Supplement) 18 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 20 That the Laws of Maryland read as follows: 21**Article – Courts and Judicial Proceedings** 227-302.23(a) Except as provided in subsections (b) through (g) of this section, the clerks of 24the District Court shall: 25(1) Collect costs, fines, forfeitures, or penalties imposed by the court; and 26 Remit them to the State under a system agreed upon by the Chief Judge (2)27 of the District Court and the Comptroller. 28 A citation issued [pursuant to] UNDER § 21–202.1, § 21–706.1, § (e) 29 21–707.1, § 21–809, § 21–810, § 21–1134, § 22–612, or § 24–111.3 of the Transportation 30 Article shall provide that the person receiving the citation may elect to stand trial by 31 notifying the issuing agency of the person's intention to stand trial at least 5 days [prior 32 to BEFORE the date of payment as set forth in the citation. 33 (ii) On receipt of the notice to stand trial, the agency shall forward 34 to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person's intention to stand trial. 35



A SCHOOL BUS MONITORING CAMERA;

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as follows:

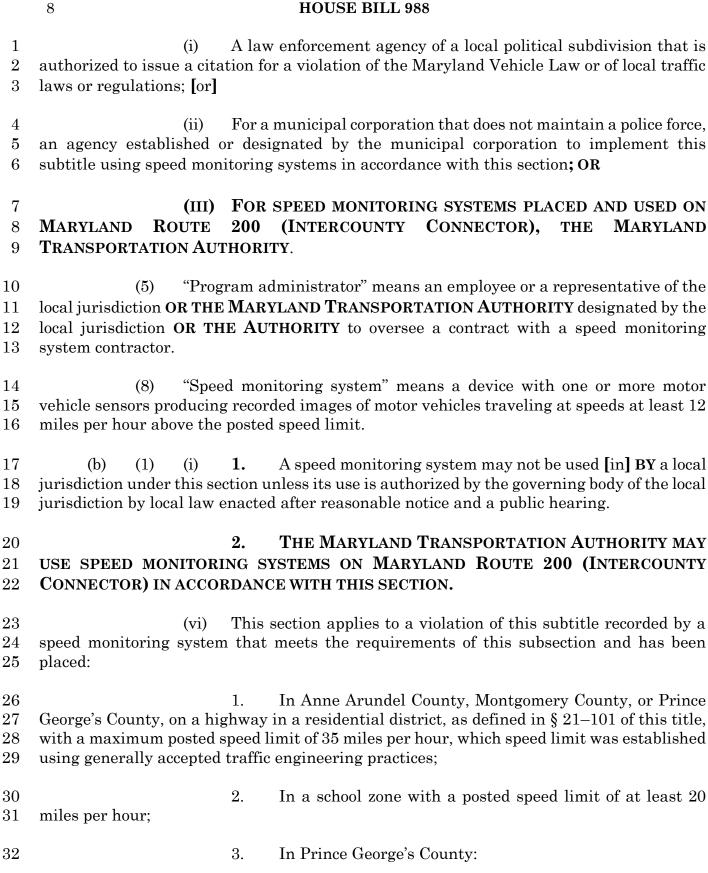
1	7. A BUS LANE MONITORING SYSTEM; OR
2	8. A NOISE ABATEMENT MONITORING SYSTEM.
3 4 5 6	(ii) A CITATION ISSUED AS THE RESULT OF ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION SHALL PROVIDE THAT, IN A CONTESTED CASE, THE PENALTY SHALL BE PAID DIRECTLY TO THE DISTRICT COURT:
7	1. A VEHICLE HEIGHT MONITORING SYSTEM;
8	2. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
9	3. A SPEED MONITORING SYSTEM;
10	4. A WORK ZONE SPEED CONTROL SYSTEM;
11	5. A STOP SIGN MONITORING SYSTEM;
12	6. A SCHOOL BUS MONITORING CAMERA;
13	7. A BUS LANE MONITORING SYSTEM; OR
14	8. A NOISE ABATEMENT MONITORING SYSTEM.
15 16 17 18 19 20 21 22	(III) A citation issued as the result of [a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, a stop sign monitoring system, a school bus monitoring camera, a bus lane monitoring system, or a noise abatement monitoring system in a case contested in District Court,] ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A STATE AGENCY shall provide that, IN AN UNCONTESTED OR CONTESTED CASE, the penalty shall be paid directly to the District Court:
23	1. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
24	2. A WORK ZONE SPEED CONTROL SYSTEM;
25	3. A SPEED MONITORING SYSTEM; OR
26	4. A BUS LANE MONITORING SYSTEM.
27	SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read

Article - Courts and Judicial Proceedings 1 2 7 - 302. 3 (2)A citation issued as the result of [a vehicle height monitoring (e) (i) system, a traffic control signal monitoring system, a speed monitoring system, a work zone 4 speed control system or a stop sign monitoring system controlled by a political subdivision, 5 a school bus monitoring camera, or a bus lane monitoring system] ANY OF THE 6 7 FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION shall 8 provide that, in an uncontested case, the penalty shall be paid directly to that political 9 subdivision: 10 1. A VEHICLE HEIGHT MONITORING SYSTEM; 2. 11 A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM; 12 3. A SPEED MONITORING SYSTEM; 13 4. A WORK ZONE SPEED CONTROL SYSTEM; 14 **5**. A STOP SIGN MONITORING SYSTEM; 15 6. A SCHOOL BUS MONITORING CAMERA; OR 7. A BUS LANE MONITORING SYSTEM. 16 17 A CITATION ISSUED AS THE RESULT OF ANY OF THE (ii) FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION 18 19 SHALL PROVIDE THAT, IN A CONTESTED CASE, THE PENALTY SHALL BE PAID DIRECTLY TO THE DISTRICT COURT: 20 21 1. A VEHICLE HEIGHT MONITORING SYSTEM; 2. 22A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM; 23 3. A SPEED MONITORING SYSTEM; 244. A WORK ZONE SPEED CONTROL SYSTEM; 25**5**. A STOP SIGN MONITORING SYSTEM; 26 6. A SCHOOL BUS MONITORING CAMERA; OR

7. 1 A BUS LANE MONITORING SYSTEM. 2 (III) A citation issued as the result of [a traffic control signal 3 monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a 4 speed monitoring system, a stop sign monitoring system, a school bus monitoring camera, 5 6 or a bus lane monitoring system in a case contested in District Court, ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A STATE AGENCY shall provide 7 that, IN AN UNCONTESTED OR CONTESTED CASE, the penalty shall be paid directly to 8 the District Court: 9 10 1. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM; 11 2. A WORK ZONE SPEED CONTROL SYSTEM; 12 3. A SPEED MONITORING SYSTEM; OR 4. A BUS LANE MONITORING SYSTEM. 13 14 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read 15 as follows: **Article - Courts and Judicial Proceedings** 16 7–302. 17 A citation issued as the result of [a vehicle height monitoring] 18 (e) (2)19 system, a traffic control signal monitoring system, a speed monitoring system, a work zone 20speed control system controlled by a political subdivision, a school bus monitoring camera, 21or a bus lane monitoring system] ANY OF THE FOLLOWING SYSTEMS OR CAMERAS 22 CONTROLLED BY A POLITICAL SUBDIVISION shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision: 23 24 1. A VEHICLE HEIGHT MONITORING SYSTEM; 252. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM; 26 3. A SPEED MONITORING SYSTEM; 27 4. A WORK ZONE SPEED CONTROL SYSTEM; 28 5. A SCHOOL BUS MONITORING CAMERA; OR 29 6. A BUS LANE MONITORING SYSTEM.

1 2 3 4	(ii) A CITATION ISSUED AS THE RESULT OF ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION SHALL PROVIDE THAT, IN A CONTESTED CASE, THE PENALTY SHALL BE PAID DIRECTLY TO THE DISTRICT COURT:					
5			1.	A VEHICLE HEIGHT MONITORING SYSTEM;		
6			2.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;		
7			3.	A SPEED MONITORING SYSTEM;		
8			4.	A WORK ZONE SPEED CONTROL SYSTEM;		
9			5.	A SCHOOL BUS MONITORING CAMERA; OR		
10			6.	A BUS LANE MONITORING SYSTEM.		
11 12 13 14 15 16 17	(III) A citation issued as the result of [a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, a school bus monitoring camera, or a bus lane monitoring system in a case contested in District Court,] ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A STATE AGENCY shall provide that, IN AN UNCONTESTED OR CONTESTED CASE, the penalty shall be paid directly to the District Court:					
18			1.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;		
19			2.	A WORK ZONE SPEED CONTROL SYSTEM;		
20			3.	A SPEED MONITORING SYSTEM; OR		
21			4.	A BUS LANE MONITORING SYSTEM.		
22 23	SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:					
24				Article - Transportation		
25	21–809.					
26	(a)	(1)	In this sect	tion the following words have the meanings indicated.		
27		(2)	"Agency" n	neans:		

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A.

Maryland Route 210 (Indian Head Highway); or

Subject to subparagraph (vii)1 of this paragraph, on

1 2 3 4 5 6	B. On that part of a highway located within the grounds of an institution of higher education as defined in § 10–101(h) of the Education Article, or within one—half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education;
7 8	4. Subject to subparagraph (vii)2 of this paragraph, on Interstate 83 in Baltimore City;
9 10 11	5. In Anne Arundel County, on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line; [or]
12 13 14	6. Subject to subparagraph (vii)3 of this paragraph, at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County; OR
15 16 17	7. By the Maryland Transportation Authority on Maryland Route 200 (Intercounty Connector) in Montgomery County.
18 19	(vii) 1. Not more than six mobile or stationary speed monitoring systems may be placed on Maryland Route 210 (Indian Head Highway).
20 21	2. Not more than two speed monitoring systems may be placed on Interstate 83 in Baltimore City.
22 23 24	3. Not more than one speed monitoring system may be placed at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County.
25 26 27	(viii) Before activating a speed monitoring system, the local jurisdiction OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE, shall:
28 29	1. Publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction;
30 31	2. Ensure that each sign that designates a school zone is proximate to a sign that:
32 33	A. Indicates that speed monitoring systems are in use in the school zone; and

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Is in accordance with the manual for and the specifications

- for a uniform system of traffic control devices adopted by the State Highway Administration under § 25–104 of this article;
- 3 3. With regard to a speed monitoring system established on Maryland Route 210 (Indian Head Highway) in Prince George's County, based on proximity 4 5 to an institution of higher education under subparagraph (vi)3 of this paragraph, on Interstate 83 in Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup 6 7 Road) between the Maryland Route 175/295 interchange and the Anne Arundel 8 County–Howard County line, [or] at the intersection of Maryland Route 333 (Oxford Road) 9 and Bonfield Avenue in Talbot County, OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN MONTGOMERY COUNTY, ensure that all speed limit signs approaching 10 and within the segment of highway on which the speed monitoring system is located include 11 12 signs that:
- A. Are in accordance with the manual and specifications for a uniform system of traffic control devices adopted by the State Highway Administration under § 25–104 of this article; and
 - B. Indicate that a speed monitoring system is in use; and
- 17 With regard to a speed monitoring system placed on 18 Maryland Route 210 (Indian Head Highway) in Prince George's County, Interstate 83 in 19 Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup Road) between 20 the Maryland Route 175/295 interchange and the Anne Arundel County-Howard County 21line, [or] at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in 22 Talbot County, OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN 23MONTGOMERY COUNTY, ensure that each sign that indicates that a speed monitoring 24system is in use is proximate to a device that displays a real-time posting of the speed at 25which a driver is traveling.
- 26 (x) 1. A local jurisdiction that authorizes a program of speed 27 monitoring systems **OR THE MARYLAND TRANSPORTATION AUTHORITY**, **AS** 28 **APPROPRIATE**, shall designate an official or employee to investigate and respond to 29 questions or concerns about the local jurisdiction's **OR THE AUTHORITY'S** speed 30 monitoring system program.
- 31 2. A. The [local] designee shall review a citation 32 generated by a speed monitoring system if the person who received the citation requests 33 review before the deadline for contesting liability under this section.
- B. If the [local] designee determines that the citation is an erroneous violation, the [local] designee shall void the citation.
- 36 C. If the [local] designee determines that a person did not receive notice of a citation issued under this section due to an administrative error, the [local] designee may resend the citation in accordance with subsection (d) of this section or

1 void the citation. 2 D. A [local] designee that takes any action described under 3 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the action for the purpose of rescinding any administrative penalties imposed under subsection 4 5 (g) of this section. 6 Ε. A [local] designee may not determine that a citation is an 7 erroneous violation based solely on the dismissal of the citation by a court. 8 3. A [local] designee may not be employed by a speed 9 monitoring system contractor or have been involved in any review of a speed monitoring system citation, other than review of a citation under this subparagraph. 10 11 4. On receipt of a written question or concern from a person, the [local] designee shall provide a written answer or response to the person within a 12 13 reasonable time. 14 5. MARYLAND Α local iurisdiction AND THE TRANSPORTATION AUTHORITY shall make any written questions or concerns received 15 under this subparagraph and any subsequent written answers or responses available for 16 17 public inspection. 18 (4) (i) A speed monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory that is: 19 20 Selected by the local jurisdiction OR THE MARYLAND 1. 21TRANSPORTATION AUTHORITY, AS APPROPRIATE; and 222. Unaffiliated with the manufacturer of the speed 23 monitoring system. 24If a local jurisdiction OR THE MARYLAND TRANSPORTATION 25 **AUTHORITY** authorizes a program of speed monitoring systems under this section: 26 The local jurisdiction OR THE MARYLAND TRANSPORTATION (i) 27 **AUTHORITY** shall designate a program administrator who may not be an employee or 28 representative of the speed monitoring system contractor; and 29 The contract with the speed monitoring system contractor shall (ii) 30 include the following provisions:

review by an agency, if more than 5% of the violations in a calendar year are erroneous violations, then the contractor shall be subject to liquidated damages for each erroneous

violation equal to at least 50% of the fine amount for the erroneous violation, plus any

For potential violations submitted by a contractor for

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(d)

may:

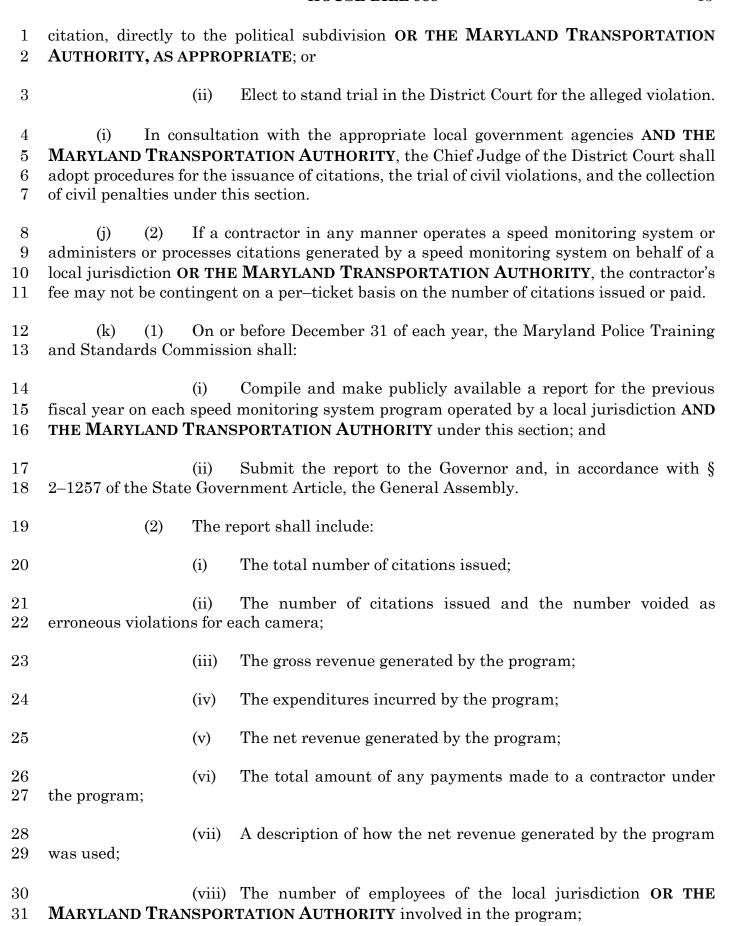
(5)

(i)

reimbursements paid by the local jurisdiction OR THE MARYLAND TRANSPORTATION 1 2 **AUTHORITY**; and 3 2. The local iurisdiction OR THE MARYLAND 4 TRANSPORTATION AUTHORITY may cancel a contract with a contractor if the contractor 5 violates the contract by submitting erroneous violations to the agency that exceed a 6 threshold specified in the contract or violates the law in implementing the contract. 7 The Maryland Police Training and Standards Commission, in (6)8 consultation with the State Highway Administration and other interested stakeholders, 9 shall develop a training program concerning the oversight and administration of a speed 10 monitoring program by a local jurisdiction AND THE MARYLAND TRANSPORTATION **AUTHORITY**, including a curriculum of best practices in the State. 11 12 (ii) A program administrator shall participate in the training 1. 13 program established under this paragraph before a local jurisdiction OR THE MARYLAND 14 TRANSPORTATION AUTHORITY initially implements a new speed monitoring program 15 and subsequently at least once every 2 years. 16 2. A program administrator for a program in existence on 17 June 1, 2014, shall initially participate in the training program on or before December 31, 18 2014, and subsequently at least once every 2 years. 19 If 3. local iurisdiction OR THE MARYLAND 20 TRANSPORTATION AUTHORITY designates a new program administrator, the new 21program administrator shall participate in the next available training program. 22 (c) Unless the driver of the motor vehicle received a citation from a police (1)23 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this 24section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is 25recorded by a speed monitoring system while being operated in violation of this subtitle. 26 A civil penalty under this subsection may not exceed \$40. (2)For purposes of this section, the District Court shall prescribe: 27 (3)28A uniform citation form consistent with subsection (d)(1) of this 29 section and § 7–302 of the Courts Article; and 30 A civil penalty, which shall be indicated on the citation, to be paid 31 by persons who choose to prepay the civil penalty without appearing in District Court.

A person who receives a citation under paragraph (1) of this subsection

Pay the civil penalty, in accordance with instructions on the



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- 1 (ix) The type of speed monitoring system used by the local 2 jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**;
- 3 (x) The locations at which each speed monitoring system was used 4 in the local jurisdiction **OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR)**;
- 5 (xi) The activation start and stop dates of each speed monitoring 6 system for each location at which it was used; and
- 7 (xii) The number of citations issued by each speed monitoring system 8 at each location.
- 9 (3) Each local jurisdiction with a speed monitoring system program AND THE MARYLAND TRANSPORTATION AUTHORITY shall submit the information required under paragraph (2) of this subsection to the Commission by October 31 of each year and assist the Commission in the preparation of the annual report.
- SECTION 6. AND BE IT FURTHER ENACTED, That the State Highway Administration shall provide the Maryland Transportation Authority with access to the State Highway Administration's existing speed monitoring systems and vendor contacts to assist the Maryland Transportation Authority in the planning and implementing of the use of speed monitoring systems under this Act.
 - SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of the termination provision specified in Section 3 of Chapters 624 and 625 of the Acts of the General Assembly of 2024. If that termination provision takes effect, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.
 - SECTION 8. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect on the taking effect of the termination provision specified in Section 3 of Chapter 678 of the Acts of the General Assembly of 2024, contingent on the taking effect of the termination provisions specified in Section 3 of Chapters 624 and 625 of the Acts of the General Assembly of 2024. If all the termination provisions take effect, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on these termination provisions.
- SECTION 9. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 7 and 8 of this Act, this Act shall take effect October 1, 2025.