## **HOUSE BILL 988**

 $R_5$ 5lr1033 HB 1369/24 - ENT By: Montgomery County Delegation Introduced and read first time: January 31, 2025 Assigned to: Environment and Transportation Committee Report: Favorable House action: Adopted Read second time: March 6, 2025 CHAPTER AN ACT concerning Montgomery County - Speed Monitoring Systems - Maryland Route 200 (Intercounty Connector) MC 10-25 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 systems on Maryland Route 200 (Intercounty Connector) in Montgomery County. BY repealing and reenacting, without amendments, Article – Courts and Judicial Proceedings Section 7-302(a)Annotated Code of Maryland (2020 Replacement Volume and 2024 Supplement) BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 7-302(e)(1) through (3) Annotated Code of Maryland (2020 Replacement Volume and 2024 Supplement)

## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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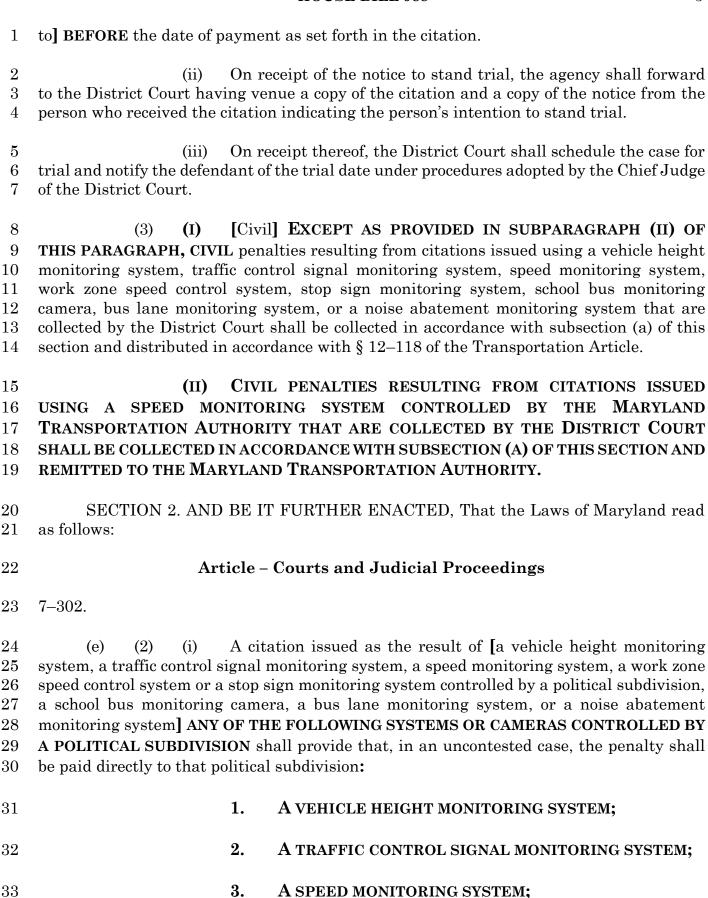
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

1	BY repealing and reenacting, with amendments,	
2	Article – Courts and Judicial Proceedings	
3	Section $7-302(e)(2)$	
4	Annotated Code of Maryland	
5	(2020 Replacement Volume and 2024 Supplement)	
6	(As enacted by Chapters 624 and 625 of the Acts of the General Assembly of 2024)	
7	BY repealing and reenacting, with amendments,	
8	Article – Courts and Judicial Proceedings	
9	Section $7-302(e)(2)$	
0	Annotated Code of Maryland	
1	(2020 Replacement Volume and 2024 Supplement)	
12	(As enacted by Chapter 678 of the Acts of the General Assembly of 2024)	
13	BY repealing and reenacting, without amendments,	
4	Article - Transportation	
$_{15}$	Section 21–809(a)(1) and (8), (b)(1)(vii), and (c)	
16	Annotated Code of Maryland	
L <b>7</b>	(2020 Replacement Volume and 2024 Supplement)	
18		
19	9 Article – Transportation	
20	Section 21–809(a)(2) and (5), (b)(1)(i), (vi), (viii), and (x), (4)(i), (5), and (6), (d)(5), (i	
21	(j)(2), and (k)	
22	Annotated Code of Maryland	
23	(2020 Replacement Volume and 2024 Supplement)	
24	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,	
25	That the Laws of Maryland read as follows:	
26	Article - Courts and Judicial Proceedings	
27	7–302.	
28	(a) Except as provided in subsections (b) through (g) of this section, the clerks of	
29	the District Court shall:	
30	(1) Collect costs, fines, forfeitures, or penalties imposed by the court; and	
31	(2) Remit them to the State under a system agreed upon by the Chief Judge	
32	of the District Court and the Comptroller.	
33	(e) (1) (i) A citation issued [pursuant to] UNDER § 21–202.1, § 21–706.1, §	
34	21–707.1, § 21–809, § 21–810, § 21–1134, § 22–612, or § 24–111.3 of the Transportation	
35	Article shall provide that the person receiving the citation may elect to stand trial by	
36	notifying the issuing agency of the person's intention to stand trial at least 5 days [prior	



1	4.	A WORK ZONE SPEED CONTROL SYSTEM;
2	5.	A STOP SIGN MONITORING SYSTEM;
3	6.	A SCHOOL BUS MONITORING CAMERA;
4	7.	A BUS LANE MONITORING SYSTEM; OR
5	8.	A NOISE ABATEMENT MONITORING SYSTEM.
6 7 8 9	FOLLOWING SYSTEMS OR CA SHALL PROVIDE THAT, IN A	TATION ISSUED AS THE RESULT OF ANY OF THE MERAS CONTROLLED BY A POLITICAL SUBDIVISION CONTESTED CASE, THE PENALTY SHALL BE PAID COURT:
0	1.	A VEHICLE HEIGHT MONITORING SYSTEM;
1	2.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
2	3.	A SPEED MONITORING SYSTEM;
13	4.	A WORK ZONE SPEED CONTROL SYSTEM;
4	5.	A STOP SIGN MONITORING SYSTEM;
5	6.	A SCHOOL BUS MONITORING CAMERA;
6	7.	A BUS LANE MONITORING SYSTEM; OR
17	8.	A NOISE ABATEMENT MONITORING SYSTEM.
18 19 20 21 22 23 24 25	monitoring system or a work zon a result of a vehicle height moni- speed monitoring system, a stop a bus lane monitoring system, or in District Court,] ANY OF THE A STATE AGENCY shall provide	ation issued as the result of [a traffic control signal ne speed control system controlled by a State agency, or as toring system, a traffic control signal monitoring system, a sign monitoring system, a school bus monitoring camera, r a noise abatement monitoring system in a case contested FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY that, IN AN UNCONTESTED OR CONTESTED CASE, the the District Court:
26	1.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;

A WORK ZONE SPEED CONTROL SYSTEM;

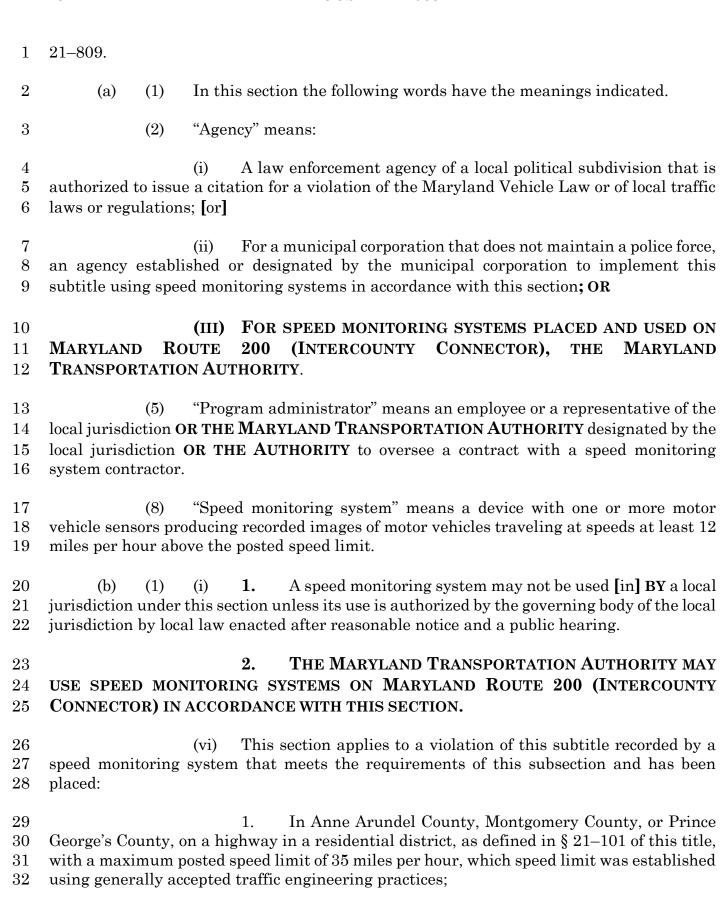
**2.** 

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

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1	4. A WORK ZONE SPEED CONTROL SYSTEM;	
2	5. A STOP SIGN MONITORING SYSTEM;	
3	6. A SCHOOL BUS MONITORING CAMERA; OR	
4	7. A BUS LANE MONITORING SYSTEM.	
5 6 7 8 9 10 11 12	monitoring system or a work zone speed control system controlled by a State agency, or a a result of a vehicle height monitoring system, a traffic control signal monitoring system, 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	
13	1. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;	
14	2. A WORK ZONE SPEED CONTROL SYSTEM;	
15	3. A SPEED MONITORING SYSTEM; OR	
16	4. A BUS LANE MONITORING SYSTEM.	
17 18	,	
19	Article - Courts and Judicial Proceedings	
20	7–302.	
21 22 23 24 25 26	system, a traffic control signal monitoring system, a speed monitoring system, a work zone speed control system controlled by a political subdivision, a school bus monitoring camera or a bus lane monitoring system] ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION shall provide that, in an uncontested case	
27	1. A VEHICLE HEIGHT MONITORING SYSTEM;	
28	2. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;	
29	3. A SPEED MONITORING SYSTEM;	

1	4.	A WORK ZONE SPEED CONTROL SYSTEM;
2	5.	A SCHOOL BUS MONITORING CAMERA; OR
3	6.	A BUS LANE MONITORING SYSTEM.
4 5 6 7	FOLLOWING SYSTEMS OR CA	TATION ISSUED AS THE RESULT OF ANY OF THE MERAS CONTROLLED BY A POLITICAL SUBDIVISION CONTESTED CASE, THE PENALTY SHALL BE PAID COURT:
8	1.	A VEHICLE HEIGHT MONITORING SYSTEM;
9	2.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
10	3.	A SPEED MONITORING SYSTEM;
11	4.	A WORK ZONE SPEED CONTROL SYSTEM;
12	<b>5.</b>	A SCHOOL BUS MONITORING CAMERA; OR
13	6.	A BUS LANE MONITORING SYSTEM.
14 15 16 17 18 19	monitoring system or a work zone speed control system controlled by a State agency, or a a result of a vehicle height monitoring system, a traffic control signal monitoring system, 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 CAMERA CONTROLLED BY A STATE AGENCY shall provide that, IN AN UNCONTESTED OF	
21	1.	A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
22	2.	A WORK ZONE SPEED CONTROL SYSTEM;
23	3.	A SPEED MONITORING SYSTEM; OR
24	4.	A BUS LANE MONITORING SYSTEM.
25 26	SECTION 5. AND BE IT as follows:	FURTHER ENACTED, That the Laws of Maryland read



In a school zone with a posted speed limit of at least 20

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- 1 miles per hour; 2 3. In Prince George's County: 3 Subject to subparagraph (vii)1 of this paragraph, on Maryland Route 210 (Indian Head Highway); or 4 5 On that part of a highway located within the grounds of B. 6 an institution of higher education as defined in § 10-101(h) of the Education Article, or 7 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 8 9 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education; 10 Subject to subparagraph (vii)2 of this paragraph, on 11 4. 12 Interstate 83 in Baltimore City; 13 5. In Anne Arundel County, on Maryland Route 175 (Jessup 14 Road) between the Maryland Route 175/295 interchange and the Anne Arundel 15 County-Howard County line; [or] 16 6. Subject to subparagraph (vii)3 of this paragraph, at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County; 17 18 OR 7. BY THE MARYLAND TRANSPORTATION AUTHORITY 19 ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN MONTGOMERY 20 21 COUNTY. 22 (vii) 1. Not more than six mobile or stationary speed monitoring systems may be placed on Maryland Route 210 (Indian Head Highway). 23 24Not more than two speed monitoring systems may be placed on Interstate 83 in Baltimore City. 2526 3. Not more than one speed monitoring system may be placed 27 at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot 28County. 29 (viii) Before activating a speed monitoring system, the local jurisdiction OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE, 30
- 1. Publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction;

shall:

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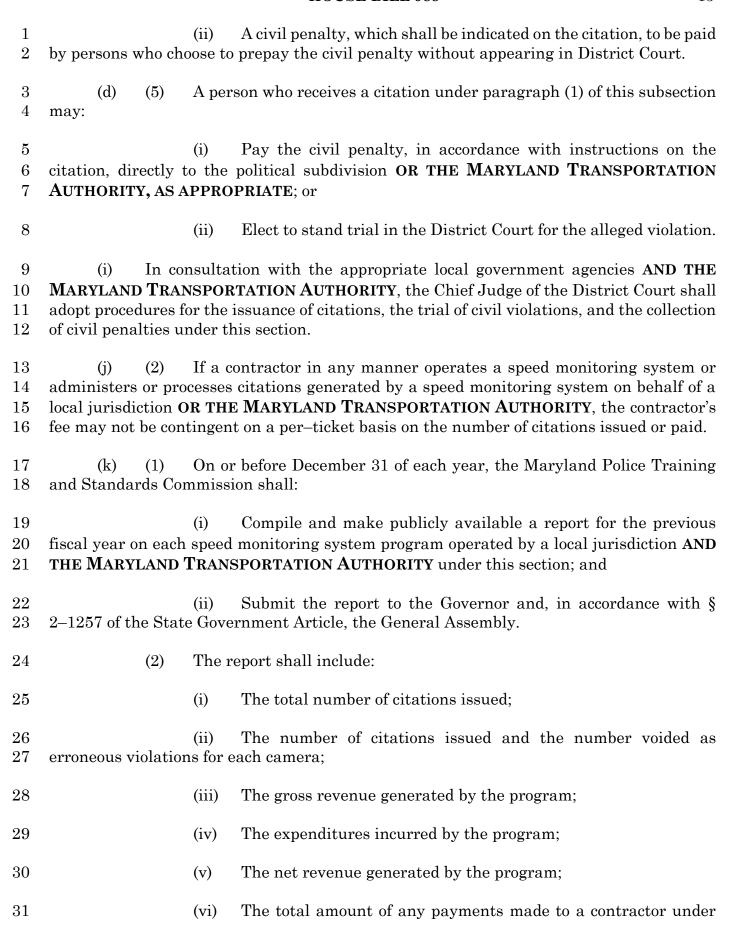
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- Ensure that each sign that designates a school zone is proximate to a sign that:
- A. Indicates that speed monitoring systems are in use in the school zone; and
- B. Is in accordance with the manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration under § 25–104 of this article;
- 8 3. With regard to a speed monitoring system established on Maryland Route 210 (Indian Head Highway) in Prince George's County, based on proximity 9 to an institution of higher education under subparagraph (vi)3 of this paragraph, on 10 Interstate 83 in Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup 11 12 Road) between the Maryland Route 175/295 interchange and the Anne Arundel 13 County–Howard County line, [or] at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County, OR ON MARYLAND ROUTE 200 (INTERCOUNTY 14 CONNECTOR) IN MONTGOMERY COUNTY, ensure that all speed limit signs approaching 15 16 and within the segment of highway on which the speed monitoring system is located include 17 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
- 22 With regard to a speed monitoring system placed on 4. 23Maryland Route 210 (Indian Head Highway) in Prince George's County, Interstate 83 in Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup Road) between 2425the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County 26 line, [or] at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in 27 Talbot County, OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN 28 MONTGOMERY COUNTY, ensure that each sign that indicates that a speed monitoring 29 system is in use is proximate to a device that displays a real-time posting of the speed at 30 which a driver is traveling.
  - (x) 1. A local jurisdiction that authorizes a program of speed monitoring systems OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE, shall designate an official or employee to investigate and respond to questions or concerns about the local jurisdiction's OR THE AUTHORITY'S speed monitoring system program.
  - 2. A. The [local] designee shall review a citation generated by a speed monitoring system if the person who received the citation requests review before the deadline for contesting liability under this section.

$\frac{1}{2}$	B. If the [local] designee determines that the citation is an erroneous violation, the [local] designee shall void the citation.	
3 4 5 6	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 void the citation.	
7 8 9 10	D. A [local] designee that takes any action described under subsubsubparagraph C of this subsubparagraph shall notify the Administration of the action for the purpose of rescinding any administrative penalties imposed under subsection (g) of this section.	
11 12	E. A [local] designee may not determine that a citation is an erroneous violation based solely on the dismissal of the citation by a court.	
13 14 15	monitoring system contractor or have been involved in any review of a speed monitoring	
16 17 18	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 reasonable time.	
19 20 21 22	5. A local jurisdiction AND THE MARYLAND TRANSPORTATION AUTHORITY shall make any written questions or concerns received under this subparagraph and any subsequent written answers or responses available for public inspection.	
23 24	(4) (i) A speed monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory that is:	
25 26	1. Selected by the local jurisdiction OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE; and	
27 28	2. Unaffiliated with the manufacturer of the speed monitoring system.	
29 30	(5) If a local jurisdiction <b>OR THE MARYLAND TRANSPORTATION AUTHORITY</b> authorizes a program of speed monitoring systems under this section:	

31 (i) The local jurisdiction **OR THE MARYLAND TRANSPORTATION**32 **AUTHORITY** shall designate a program administrator who may not be an employee or representative of the speed monitoring system contractor; and

- 1 (ii) The contract with the speed monitoring system contractor shall 2 include the following provisions:
- 1. For potential violations submitted by a contractor for 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 reimbursements paid by the local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**: and
- 9 2. The local jurisdiction OR THE MARYLAND 10 TRANSPORTATION AUTHORITY may cancel a contract with a contractor if the contractor 11 violates the contract by submitting erroneous violations to the agency that exceed a 12 threshold specified in the contract or violates the law in implementing the contract.
- 13 (6) (i) The Maryland Police Training and Standards Commission, in 14 consultation with the State Highway Administration and other interested stakeholders, 15 shall develop a training program concerning the oversight and administration of a speed 16 monitoring program by a local jurisdiction AND THE MARYLAND TRANSPORTATION 17 AUTHORITY, including a curriculum of best practices in the State.
- 18 (ii) 1. A program administrator shall participate in the training 19 program established under this paragraph before a local jurisdiction **OR THE MARYLAND** 20 **TRANSPORTATION AUTHORITY** initially implements a new speed monitoring program 21 and subsequently at least once every 2 years.
- 22 2. A program administrator for a program in existence on 23 June 1, 2014, shall initially participate in the training program on or before December 31, 24 2014, and subsequently at least once every 2 years.
- 3. If a local jurisdiction **OR THE MARYLAND**TRANSPORTATION AUTHORITY designates a new program administrator, the new program administrator shall participate in the next available training program.
- 28 (c) (1) Unless the driver of the motor vehicle received a citation from a police 29 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this 30 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is 31 recorded by a speed monitoring system while being operated in violation of this subtitle.
- 32 (2) A civil penalty under this subsection may not exceed \$40.
- 33 (3) For purposes of this section, the District Court shall prescribe:
- 34 (i) A uniform citation form consistent with subsection (d)(1) of this 35 section and § 7–302 of the Courts Article; and



- 1 the program;
- 2 (vii) A description of how the net revenue generated by the program
- 3 was used;

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- 4 (viii) The number of employees of the local jurisdiction OR THE 5 MARYLAND TRANSPORTATION AUTHORITY involved in the program;
- 6 (ix) The type of speed monitoring system used by the local 7 jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**;
- 8 (x) The locations at which each speed monitoring system was used 9 in the local jurisdiction **OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR)**;
- 10 (xi) The activation start and stop dates of each speed monitoring 11 system for each location at which it was used; and
- 12 (xii) The number of citations issued by each speed monitoring system 13 at each location.
- 14 (3) Each local jurisdiction with a speed monitoring system program AND
  15 THE MARYLAND TRANSPORTATION AUTHORITY shall submit the information required
  16 under paragraph (2) of this subsection to the Commission by October 31 of each year and
  17 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.

	President of the Senate.
	Speaker of the House of Delegates.
	Governor.
Approved:	