

SENATE BILL 855

R5

0lr2229

By: **Senator Sydnor (By Request – Baltimore City Administration)**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Speed Monitoring Systems – Interstate 83**

3 FOR the purpose of authorizing the placement and use of a speed monitoring system on
4 Interstate 83 in Baltimore City; making a technical correction; and generally relating
5 to the placement and use of a speed monitoring system on Interstate 83 in Baltimore
6 City.

7 BY repealing and reenacting, without amendments,
8 Article – Transportation
9 Section 21–809(a)(1) and (8), (b)(1)(i) and (viii), and (c)
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–809(b)(1)(v) through (vii)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2019 Supplement)

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

19 **Article – Transportation**

20 21–809.

21 (a) (1) In this section the following words have the meanings indicated.

22 (8) “Speed monitoring system” means a device with one or more motor
23 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12
24 miles per hour above the posted speed limit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

1. Until signage is installed in accordance with subparagraph [(vii)] **(VIII)** of this paragraph; and

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

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

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

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

3. In Prince George’s County:

A. Subject to subparagraph [(vii)] **(VII)1** of this paragraph, on Maryland Route 210 (Indian Head Highway); or

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; **OR**

4. SUBJECT TO SUBPARAGRAPH (VII)2 OF THIS PARAGRAPH, ON INTERSTATE 83 IN BALTIMORE CITY.

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

**2. NOT MORE THAN ONE SPEED MONITORING SYSTEM
MAY BE PLACED ON INTERSTATE 83 IN BALTIMORE CITY.**

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

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

2. 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;

3. With regard to a speed monitoring system established on Maryland Route 210 (Indian Head Highway) in Prince George's County or based on proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection, ensure that all speed limit signs approaching and within the segment of highway on which the speed monitoring system is located include 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

4. With regard to a speed monitoring system placed on Maryland Route 210 (Indian Head Highway) in Prince George's County, ensure that each sign that indicates that a speed monitoring system is in use is proximate to a device that displays a real-time posting of the speed at which a driver is traveling.

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

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

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

(i) A uniform citation form consistent with subsection (d)(1) of this

1 section and § 7–302 of the Courts Article; and

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2020.