

HOUSE BILL 263

R5

7lr1304

By: **Delegates Carr, Beidle, and Stein**

Introduced and read first time: January 23, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **School Bus Monitoring Cameras – Exclusion of Vehicle Rental**
3 **Companies – Repeal**

4 FOR the purpose of altering a certain definition to repeal the exclusion of motor vehicle
5 rental companies as owners of motor vehicles for the purpose of the enforcement of
6 violations of overtaking and passing school vehicles operating alternately flashing
7 red lights that are recorded by school bus monitoring cameras; and generally relating
8 to vehicle rental companies and school bus monitoring cameras.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–706.1(a)(3)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 21–706.1(e) and (h)(5)
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2016 Supplement)

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

21 **Article – Transportation**

22 21–706.1.

23 (a) (3) (i) “Owner” means the registered owner of a motor vehicle or a
24 lessee of a motor vehicle under a lease of 6 months or more.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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.

(e) (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 (h)(5) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a school bus monitoring camera during the commission of a violation.

(2) A civil penalty under this subsection may not exceed \$250.

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

(i) A uniform citation form consistent with subsection (f)(1) of this section and § 7–302 of the Courts Article; and

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

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

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

(iii) A citation issued under subparagraph (ii) of this paragraph shall be mailed no later than 2 weeks after receipt of the evidence from the District Court.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.