

SENATE BILL 941

R2, R5, R7

5lr3221
CF 5lr1140

By: **Senator Sydnor**

Introduced and read first time: January 28, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation–Related Fines and Tolls – Income–Based Installment Payment**
3 **Plans**

4 FOR the purpose of requiring the Maryland Transportation Authority and the Department
5 of Transportation to establish programs to offer income–based installment payment
6 plans for the payment of certain tolls, civil penalties, and fines; and generally
7 relating to income–based installment payment plans.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 21–1414(d)(5) and (6) and (h)(2), 26–201(c)(1) and (d)(1), and 27–103(a)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2024 Supplement)

13 BY adding to
14 Article – Transportation
15 Section 21–1417 and 27–103.1
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2024 Supplement)

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

20 **Article – Transportation**

21 21–1414.

22 (d) (5) A person alleged to be liable receiving the citation for a toll violation
23 under this section may:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) Pay the video toll and the civil penalty directly to the Authority;

[or]

(II) REQUEST TO PAY THE VIDEO TOLL AND CIVIL PENALTY THROUGH THE INCOME-BASED INSTALLMENT PLAN UNDER § 21-1417 OF THIS SUBTITLE; OR

~~[(ii)]~~ **(III)** Elect to stand trial for the alleged violation.

(6) (i) If the person alleged to be liable under this section fails to elect to stand trial or **TO APPEAR AT TRIAL AFTER HAVING ELECTED TO STAND TRIAL, FAILS** to pay the prescribed video toll and civil penalty within 30 days after mailing of the citation **OR IN ACCORDANCE WITH AN INCOME-BASED INSTALLMENT PAYMENT PLAN APPROVED BY THE AUTHORITY**, or is adjudicated to be liable after trial, [or fails to appear at trial after having elected to stand trial,] the Authority or its duly authorized agent may:

1. Collect the video toll and the civil penalty by any means of collection as provided by law; and

2. Notify the Administration of the failure to pay the video toll and civil penalty in accordance with subsection (i) of this section.

(ii) No additional hearing or proceeding is required before the Administration takes action with respect to the motor vehicle of the registered owner under subsection (i) of this section.

(h) (2) The Authority may recall a delinquent account from the Central Collection Unit if:

(i) The delinquent account exceeds \$300 in unpaid video tolls and associated civil penalties;

(ii) The video tolls in question were assessed within a 30-day period; [and]

(iii) Mitigating factors exist with respect to the assessment of the unpaid video tolls and associated civil penalties, as determined by the Authority; **AND**

(IV) THE AUTHORITY APPROVES AN INCOME-BASED INSTALLMENT PAYMENT PLAN FOR A DELINQUENT ACCOUNT.

21-1417.

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) “PROGRAM” MEANS THE INCOME–BASED INSTALLMENT PAYMENT
4 PLAN PROGRAM ESTABLISHED UNDER THIS SECTION.

5 (3) “VIDEO TOLL” HAS THE MEANING STATED IN § 21–1414 OF THIS
6 SUBTITLE.

7 (B) THE AUTHORITY SHALL ESTABLISH AN INCOME–BASED INSTALLMENT
8 PAYMENT PLAN PROGRAM.

9 (C) A PERSON THAT ACCUMULATES UNPAID VIDEO TOLLS AND CIVIL
10 PENALTIES UNDER THIS SUBTITLE OF AT LEAST \$250 MAY APPLY TO PARTICIPATE
11 IN THE PROGRAM.

12 (D) IF A PERSON ENTERS INTO AN INCOME–BASED INSTALLMENT PAYMENT
13 PLAN UNDER THIS SECTION AND FAILS TO PAY THE OUTSTANDING VIDEO TOLLS AND
14 CIVIL PENALTIES IN ACCORDANCE WITH THE PAYMENT PLAN, THE AUTHORITY MAY
15 REFER THE AMOUNT OF THE UNPAID VIDEO TOLLS AND CIVIL PENALTIES TO THE
16 CENTRAL COLLECTION UNIT OF THE DEPARTMENT OF BUDGET AND
17 MANAGEMENT.

18 (E) THE AUTHORITY SHALL ADOPT REGULATIONS TO ESTABLISH:

19 (1) INCOME ELIGIBILITY AND VERIFICATION REQUIREMENTS FOR
20 THE PROGRAM;

21 (2) THE NUMBER AND TYPE OF INSTALLMENT PAYMENT OPTIONS
22 AVAILABLE UNDER THE PROGRAM;

23 (3) AN APPLICATION PROCESS FOR PARTICIPATION IN THE
24 PROGRAM;

25 (4) A PROCESS FOR REPORTING A PERSON WHO FAILS TO MAKE
26 REQUIRED INSTALLMENT PAYMENTS IN A TIMELY MANNER IN ACCORDANCE WITH
27 THE PERSON’S PAYMENT PLAN; AND

28 (5) ANY OTHER REGULATIONS NECESSARY TO ADMINISTER THE
29 PROGRAM.

30 26–201.

31 (c) A traffic citation issued to a person under this section shall contain:

(1) (i) A notice in boldface type that, if the citation is a payable violation:

1. The person must comply with one of the following within 30 days after receipt of the citation:

A. Pay the full amount of the preset fine;

B. Enter into a payment plan under § 7–504.1 of the Courts Article, if the defendant has at least \$150 in total outstanding fines and is otherwise qualified to enter into a payment plan;

C. **ENTER INTO AN INCOME–BASED INSTALLMENT PAYMENT PLAN UNDER § 27–103.1 OF THIS ARTICLE, IF THE DEFENDANT HAS AT LEAST \$250 IN TOTAL OUTSTANDING FINES AND IS OTHERWISE QUALIFIED TO ENTER INTO AN INSTALLMENT PAYMENT PLAN;**

D. Request a hearing regarding sentencing and disposition in lieu of a trial as provided in § 26–204(b)(2) of this subtitle; or

[D.] E. Request a trial date at the date, time, and place established by the District Court by writ or trial notice; and

2. A. If the person fails to comply within 30 days after receipt of the citation, the Administration will be notified and may take action to suspend the person’s driver’s license; and

B. Driving on a suspended license is a criminal offense for which the person could be incarcerated; or

(ii) If the citation is for a must–appear violation, a notice that:

1. The citation is a summons to appear as notified by a circuit court or the District Court through a trial notice setting the date, time, and place for the person to appear; or

2. A circuit court or the District Court will issue a writ setting the date, time, and place for the person to appear;

(d) If a citation is marked “you have the right to stand trial”:

(1) The form of the defendant’s copy of the citation shall include in boldface type a description of the following options:

(i) Payment of the fine;

(ii) Enter into a payment plan under § 7–504.1 of the Courts Article, if the defendant has at least \$150 in total outstanding fines and is otherwise qualified to enter into a payment plan;

(III) ENTER INTO AN INCOME–BASED INSTALLMENT PAYMENT PLAN UNDER § 27–103.1 OF THIS ARTICLE, IF THE DEFENDANT HAS AT LEAST \$250 IN TOTAL OUTSTANDING FINES AND IS OTHERWISE QUALIFIED TO ENTER INTO AN INSTALLMENT PAYMENT PLAN;

~~[(iii)]~~ **(IV)** Request a trial; and

~~[(iv)]~~ **(V)** Request a “guilty with an explanation” hearing regarding sentencing and disposition in lieu of a trial; and

27–103.

(a) If a person fined under the Maryland Vehicle Law does not pay the fine or enter into a payment plan under § 7–504.1 of the Courts Article **OR § 27–103.1 OF THIS SUBTITLE**, the court may:

(1) Refer the amount of the unpaid outstanding fine to the Central Collection Unit of the Department of Budget and Management; or

(2) Process the unpaid outstanding fine as it would otherwise process outstanding fines owed the court.

27–103.1.

(A) IN THIS SECTION, “PROGRAM” MEANS THE INCOME–BASED INSTALLMENT PAYMENT PLAN PROGRAM ESTABLISHED UNDER THIS SECTION.

(B) THE DEPARTMENT SHALL ESTABLISH AN INCOME–BASED INSTALLMENT PAYMENT PLAN PROGRAM.

(C) A PERSON THAT ACCUMULATES AT LEAST \$250 OF FINES FOR VIOLATIONS OF THE MARYLAND VEHICLE LAW MAY APPLY TO PARTICIPATE IN THE PROGRAM.

(D) IF A PERSON ENTERS INTO AN INCOME–BASED INSTALLMENT PAYMENT PLAN UNDER THIS SECTION AND FAILS TO PAY THE OUTSTANDING FINES IN ACCORDANCE WITH THE PAYMENT PLAN, THE DEPARTMENT MAY REFER THE AMOUNT OF THE UNPAID OUTSTANDING FINES TO THE CENTRAL COLLECTION UNIT OF THE DEPARTMENT OF BUDGET AND MANAGEMENT.

1 **(E) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ESTABLISH:**

2 **(1) INCOME ELIGIBILITY AND VERIFICATION REQUIREMENTS FOR**
3 **THE PROGRAM;**

4 **(2) THE NUMBER AND TYPE OF INSTALLMENT PAYMENT OPTIONS**
5 **AVAILABLE UNDER THE PROGRAM;**

6 **(3) AN APPLICATION PROCESS FOR PARTICIPATION IN THE**
7 **PROGRAM;**

8 **(4) A PROCESS FOR REPORTING A PERSON WHO FAILS TO MAKE**
9 **REQUIRED INSTALLMENT PAYMENTS IN A TIMELY MANNER IN ACCORDANCE WITH**
10 **THE PERSON'S PAYMENT PLAN; AND**

11 **(5) ANY OTHER REGULATIONS NECESSARY TO ADMINISTER THE**
12 **PROGRAM.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.