

HOUSE BILL 1032

R5, P1

5lr0881

By: **Montgomery County Delegation and Delegate Young**

Introduced and read first time: February 3, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2025

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City and Montgomery County – Stop Sign Monitoring Systems –**
3 **Authorization**

4 **MC 4-25**

5 FOR the purpose of authorizing the use of stop sign monitoring systems in school zones in
6 Baltimore City and Montgomery County under the pilot program authorized for
7 Prince George's County, if authorized by local law; ~~establishing that certain~~
8 ~~provisions of law relating to the inspection of recorded images apply to recorded~~
9 ~~images produced by a stop sign monitoring system; providing that the owner or~~
10 ~~driver of a motor vehicle recorded failing to obey a stop sign is subject to a citation~~
11 ~~and a certain civil penalty under certain circumstances; establishing certain~~
12 ~~defenses to a charge of an alleged violation recorded by a stop sign monitoring~~
13 ~~system; prohibiting a contractor administering a stop sign monitoring system from~~
14 ~~being compensated in a certain manner; and generally relating to the use of stop sign~~
15 ~~monitoring systems in~~ Baltimore City and Montgomery County.

16 ~~BY repealing and reenacting, with amendments,~~
17 ~~Article – Courts and Judicial Proceedings~~
18 ~~Section 4-401(13), 7-302(e)(1)(i), and 10-311(g)~~
19 ~~Annotated Code of Maryland~~
20 ~~(2020 Replacement Volume and 2024 Supplement)~~

21 ~~BY repealing and reenacting, with amendments,~~
22 ~~Article – Courts and Judicial Proceedings~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



~~Section 7-302(e)(1) through (4) and 10-311(f)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)
(As enacted by Section 3 of Chapter 678 of the Acts of the General Assembly of 2024)~~

~~BY adding to~~

~~Article – Courts and Judicial Proceedings
Section 10-311(f)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)
(As enacted by Section 3 of Chapter 678 of the Acts of the General Assembly of 2024)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – General Provisions
Section 4-321
Annotated Code of Maryland
(2010 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Transportation
Section 21-707
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY ~~adding to~~ repealing and reenacting, with amendments,

Article – Transportation
Section ~~21-707.2~~ 21-707.1
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

~~**Article – Courts and Judicial Proceedings**~~

~~7-302.~~

~~(e) (1) (i) A citation issued pursuant to § 21-202.1, § 21-706.1, § 21-707.1, § 21-707.2, § 21-809, § 21-810, § 21-1134, § 22-612, or § 24-111.3 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person's intention to stand trial at least 5 days prior to the date of payment as set forth in the citation.~~

~~10-311.~~

~~(g) A recorded image of a motor vehicle produced by a stop sign monitoring system in accordance with § 21-707.1 OR § 21-707.2 of the Transportation Article is admissible~~

~~in a proceeding concerning a civil citation issued under that section for a violation of § 21-707 OR § 21-707.2 of the Transportation Article without authentication.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article — Courts and Judicial Proceedings~~

~~7-302.~~

~~(c) (1) (i) A citation issued pursuant to § 21-202.1, § 21-706.1, § 21-707.2, § 21-809, § 21-810, § 21-1134, or § 24-111.3 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person's intention to stand trial at least 5 days prior to the date of payment as set forth in the citation.~~

~~(ii) On receipt of the notice to stand trial, the agency shall forward 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.~~

~~(iii) On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.~~

~~(2) (i) A citation issued as the result of a vehicle height monitoring 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 shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision.~~

~~(ii) 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, or a bus lane monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.~~

~~(3) Civil penalties resulting from citations issued using a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, STOP SIGN MONITORING SYSTEM, school bus monitoring camera, or bus lane monitoring system that are collected by the District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12-118 of the Transportation Article.~~

~~(4) (i) Except as provided in paragraph (5) of this subsection, from the fines collected by a political subdivision as a result of violations enforced by speed~~

~~monitoring systems, work zone speed control systems, STOP SIGN MONITORING SYSTEMS, school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:~~

~~1. May recover the costs of implementing and administering the speed monitoring systems, work zone speed control systems, school bus monitoring cameras, or bus lane monitoring systems; and~~

~~2. Subject to subparagraph (ii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian or highway safety programs.~~

~~(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.~~

~~2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.~~

~~10-311.~~

~~(F) A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A STOP SIGN MONITORING SYSTEM IN ACCORDANCE WITH § 21-707.2 OF THE TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF § 21-707.2 OF THE TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.~~

~~[(f)] (G) In any other judicial proceeding, a recorded image produced by a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, STOP SIGN MONITORING SYSTEM, school bus monitoring camera, or bus lane monitoring system is admissible as otherwise provided by law.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article Courts and Judicial Proceedings~~

~~4-401.~~

~~Except as provided in § 4-402 of this subtitle, and subject to the venue provisions of Title 6 of this article, the District Court has exclusive original civil jurisdiction in:~~

~~(13) A proceeding for a civil infraction under § 21-202.1, § 21-704.1, § 21-706.1, § 21-707.1, § 21-707.2, § 21-800, § 21-810, § 21-1134, § 22-612, or § 24-111.3 of the Transportation Article or § 10-112 of the Criminal Law Article;~~

~~Article – General Provisions~~

~~4-321.~~

~~(a) In this section, “recorded images” has the meaning stated in § 21-202.1, § 21-707.2, § 21-800, § 21-810, or § 24-111.3 of the Transportation Article.~~

~~(b) Except as provided in subsection (c) of this section, a custodian shall deny inspection of recorded images produced by:~~

~~(1) a traffic control signal monitoring system operated under § 21-202.1 of the Transportation Article;~~

~~(2) A STOP SIGN MONITORING SYSTEM OPERATED UNDER § 21-707.2 OF THE TRANSPORTATION ARTICLE;~~

~~(3) a speed monitoring system operated under § 21-800 of the Transportation Article;~~

~~[(3)] (4) a work zone speed control system operated under § 21-810 of the Transportation Article; or~~

~~[(4)] (5) a vehicle height monitoring system operated under § 24-111.3 of the Transportation Article.~~

~~(c) A custodian shall allow inspection of recorded images:~~

~~(1) as required in § 21-202.1, § 21-707.2, § 21-800, § 21-810, or § 24-111.3 of the Transportation Article;~~

~~(2) by any person issued a citation under § 21-202.1, § 21-707.2, § 21-800, § 21-810, or § 24-111.3 of the Transportation Article, or by an attorney of record for the person; or~~

~~(3) by an employee or agent of an agency in an investigation or a proceeding relating to the imposition of or indemnification from civil liability under § 21-202.1, § 21-707.2, § 21-800, § 21-810, or § 24-111.3 of the Transportation Article.~~

Article – Transportation

21-707.

(a) Unless otherwise directed by a police officer or traffic control signal, the driver of a vehicle approaching a stop sign at an intersection shall stop at the near side of the intersection at a clearly marked stop line.

(b) Unless otherwise directed by a police officer or traffic control signal, the driver of a vehicle approaching a stop sign at an intersection shall stop at the near side of the intersection and, if there is no clearly marked stop line, before entering any crosswalk.

(c) Unless otherwise directed by a police officer or traffic control signal, the driver of a vehicle approaching a stop sign at an intersection shall stop at the near side of an intersection and, if there is no crosswalk, at the nearest point before entering the intersection that gives the driver a view of traffic approaching on the intersecting roadway.

(d) The driver of a vehicle approaching a yield sign at an intersection, if required for safety to stop, shall stop at the near side of the intersection at a clearly marked stop line.

(e) The driver of a vehicle approaching a yield sign at an intersection, if required for safety to stop, shall stop at the near side of the intersection and, if there is no clearly marked stop line, before entering any crosswalk.

(f) The driver of a vehicle approaching a yield sign at an intersection, if required for safety to stop, shall stop at the near side of the intersection and, if there is no crosswalk, at the nearest point before entering the intersection that gives the driver a view of traffic approaching on the intersecting roadway.

~~21-707.2.~~

~~(A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.~~

~~(B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "AGENCY" MEANS A LAW ENFORCEMENT AGENCY THAT IS AUTHORIZED TO ISSUE A CITATION FOR A VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR REGULATIONS.~~

~~(3) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR VEHICLE OR LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR MORE.~~

~~(II) "OWNER" DOES NOT INCLUDE:~~

~~1. A MOTOR VEHICLE LEASING COMPANY; OR~~

~~2. A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.~~

~~(4) "RECORDED IMAGE" MEANS IMAGES RECORDED BY A STOP SIGN MONITORING SYSTEM;~~

~~(i) ON:~~

~~1. TWO OR MORE PHOTOGRAPHS;~~

~~2. TWO OR MORE MICROPHOTOGRAPHS;~~

~~3. TWO OR MORE ELECTRONIC IMAGES;~~

~~4. VIDEOTAPE; OR~~

~~5. ANY OTHER MEDIUM; AND~~

~~(ii) SHOWING A MOTOR VEHICLE AND, ON AT LEAST ONE IMAGE OR PORTION OF TAPE, CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER OF THE MOTOR VEHICLE.~~

~~(5) "STOP SIGN MONITORING SYSTEM" MEANS A DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.~~

~~(6) (i) "VIOLATION" MEANS A FAILURE TO COME TO A COMPLETE STOP AT A STOP SIGN IN VIOLATION OF § 21-707 OF THIS SUBTITLE.~~

~~(ii) "VIOLATION" DOES NOT INCLUDE ANY ACTION A DRIVER IS INSTRUCTED TO TAKE BY A POLICE OFFICER.~~

~~(c) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION, AN AGENCY MAY USE STOP SIGN MONITORING SYSTEMS:~~

~~(i) ON HIGHWAYS LOCATED IN A SCHOOL ZONE MAINTAINED BY A LOCAL JURISDICTION, IF AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION; OR~~

~~(ii) ON STATE HIGHWAYS LOCATED IN A SCHOOL ZONE, IF AUTHORIZED BY THE STATE HIGHWAY ADMINISTRATION.~~

~~(2) A STOP SIGN 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.~~

~~(3) BEFORE BEGINNING USE OF STOP SIGN MONITORING SYSTEMS, AN AGENCY SHALL PUBLISH NOTICE THAT THE AGENCY HAS ADOPTED THE USE OF STOP SIGN MONITORING SYSTEMS ON ITS WEBSITE.~~

~~(4) (I) THE COUNTY SHALL PROMINENTLY PLACE SIGNS ON HIGHWAYS WITHIN THE COUNTY PROVIDING NOTICE THAT STOP SIGN MONITORING SYSTEMS ARE USED IN THE COUNTY.~~

~~(II) THE STATE HIGHWAY ADMINISTRATION SHALL PLACE SIGNS PROMINENTLY PROVIDING NOTICE THAT STOP SIGN MONITORING SYSTEMS ARE IN USE ON STATE HIGHWAYS.~~

~~(D) A RECORDED IMAGE UNDER THIS SECTION INDICATING THAT THE DRIVER OF A MOTOR VEHICLE HAS COMMITTED A VIOLATION SHALL INCLUDE:~~

~~(1) THE TIME AND DATE OF THE VIOLATION; AND~~

~~(2) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION.~~

~~(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 (F)(3) OR (H)(4) OR (5) OF THIS SECTION, THE DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS RECORDED BY A STOP SIGN MONITORING SYSTEM DURING THE COMMISSION OF A VIOLATION.~~

~~(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 (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.~~

~~(F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (5) OF THIS SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION A CITATION THAT SHALL INCLUDE:~~

~~(I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE MOTOR VEHICLE;~~

~~(II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;~~

~~(III) THE VIOLATION CHARGED;~~

~~(IV) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION;~~

~~(V) THE DATE AND TIME OF THE VIOLATION;~~

~~(VI) A COPY OF THE RECORDED IMAGE;~~

~~(VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE BY WHICH THE CIVIL PENALTY MUST BE PAID;~~

~~(VIII) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE AGENCY THAT, BASED ON THE INSPECTION OF THE RECORDED IMAGE, THE MOTOR VEHICLE WAS BEING OPERATED DURING THE COMMISSION OF A VIOLATION;~~

~~(IX) A STATEMENT THAT THE RECORDED IMAGE IS EVIDENCE OF A VIOLATION; AND~~

~~(X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION;~~

~~1. OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND~~

~~2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.~~

~~(2) THE AGENCY MAY MAIL A WARNING NOTICE IN PLACE OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION.~~

~~(3) (i) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, AN AGENCY SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS, WITHIN 45 DAYS AFTER RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL COMPANY PROVIDES THE AGENCY WITH:~~

~~1. A STATEMENT MADE UNDER OATH THAT STATES THE
NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR
RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;~~

~~2. A. A STATEMENT MADE UNDER OATH THAT
STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE
WHO WAS DRIVING THE MOTOR VEHICLE AT THE TIME THE VIOLATION OCCURRED
BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND~~

~~B. A COPY OF THE POLICE REPORT ASSOCIATED WITH
THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR~~

~~3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE
VIOLATION.~~

~~(H) AN AGENCY MAY NOT MAIL A CITATION TO A MOTOR
VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF
THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF
THIS PARAGRAPH.~~

~~(4) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION
AND SUBSECTION (H)(4) AND (5) OF THIS SECTION, A CITATION ISSUED UNDER THIS
SECTION SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER THE ALLEGED
VIOLATION.~~

~~(5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
THIS SUBSECTION MAY:~~

~~(I) PAY THE CIVIL PENALTY IN ACCORDANCE WITH
INSTRUCTIONS ON THE CITATION; OR~~

~~(II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.~~

~~(6) (1) A CERTIFICATE ALLEGING THAT A VIOLATION OCCURRED, SWORN
TO OR AFFIRMED BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED
BY OR UNDER CONTRACT WITH AN AGENCY, BASED ON THE INSPECTION OF A
RECORDED IMAGE, SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE
CERTIFICATE AND SHALL BE ADMISSIBLE IN ANY PROCEEDING CONCERNING THE
ALLEGED VIOLATION.~~

~~(2) ADJUDICATION OF LIABILITY SHALL BE BASED ON
PREPONDERANCE OF THE EVIDENCE.~~

~~(H) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION;~~

~~(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT THE MOTOR VEHICLE OR REGISTRATION PLATES OF THE MOTOR VEHICLE WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;~~

~~(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE MOTOR VEHICLE AT THE TIME OF THE VIOLATION; AND~~

~~(III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT CONSIDERS PERTINENT.~~

~~(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY MANNER.~~

~~(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE DISTRICT COURT OF WHO WAS OPERATING THE MOTOR VEHICLE AT THE TIME OF THE VIOLATION, INCLUDING, AT A MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.~~

~~(4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A CITATION THAT INVOLVES A CLASS E (TRUCK) VEHICLE WITH A REGISTERED GROSS WEIGHT OF 26,001 POUNDS OR MORE, CLASS F (TRACTOR) VEHICLE, CLASS G (TRAILER) VEHICLE OPERATED IN COMBINATION WITH A CLASS F (TRACTOR) VEHICLE, OR CLASS P (PASSENGER BUS) VEHICLE.~~

~~(II) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:~~

~~1. STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE MOTOR VEHICLE AT THE TIME OF THE VIOLATION; AND~~

~~2. PROVIDES THE NAME, ADDRESS, AND DRIVER'S
LICENSE IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING THE
MOTOR VEHICLE AT THE TIME OF THE VIOLATION.~~

~~(5) (i) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED
IN THE CITATION WAS NOT OPERATING THE MOTOR VEHICLE AT THE TIME OF THE
VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (4)(ii)2 OF THIS
SUBSECTION IDENTIFYING THE PERSON DRIVING THE MOTOR VEHICLE AT THE TIME
OF THE VIOLATION, THE CLERK OF COURT SHALL PROVIDE TO THE AGENCY ISSUING
THE CITATION A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING
THE MOTOR VEHICLE AT THE TIME OF THE VIOLATION.~~

~~(ii) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
DISTRICT COURT UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH, THE AGENCY
MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (F) OF THIS SECTION TO THE
PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE MOTOR VEHICLE AT
THE TIME OF THE VIOLATION.~~

~~(iii) A CITATION ISSUED UNDER SUBPARAGRAPH (ii) OF THIS
PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE
EVIDENCE FROM THE DISTRICT COURT.~~

~~(i) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT
CONTESTED, THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER OR
MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.~~

~~(j) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
SECTION:~~

~~(1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
POINTS UNDER § 16-402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE
ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE
MOTOR VEHICLE; AND~~

~~(2) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
INSURANCE COVERAGE.~~

~~(k) IN CONSULTATION WITH LAW ENFORCEMENT AGENCIES, THE CHIEF
JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE
OF CITATIONS, TRIALS FOR VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES
IMPOSED UNDER THIS SECTION.~~

~~(1) (1) AN AGENCY OR AN AGENT OR A CONTRACTOR DESIGNATED BY THE AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.~~

~~(2) IF A CONTRACTOR IN ANY MANNER OPERATES A STOP SIGN MONITORING SYSTEM OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A STOP SIGN MONITORING SYSTEM ON BEHALF OF A LOCAL JURISDICTION, THE CONTRACTOR'S FEE MAY NOT BE CONTINGENT ON A PER TICKET BASIS ON THE NUMBER OF CITATIONS ISSUED OR PAID.~~

21-707.1.

(a) This section applies only in BALTIMORE CITY, MONTGOMERY COUNTY, AND Prince George's County.

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

(2) "Agency" means a law enforcement agency that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations.

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

(ii) "Owner" does not include:

1. A motor vehicle leasing company; or

2. A holder of a special registration plate issued under Title 13, Subtitle 9, Part III of this article.

(4) "Recorded image" means images recorded by a stop sign monitoring system:

(i) On:

1. Two or more photographs;

2. Two or more microphotographs;

3. Two or more electronic images;

4. Videotape; or

5. Any other medium; and

(ii) Showing a motor vehicle and, on at least one image or portion of tape, clearly identifying the registration plate number of the motor vehicle.

(5) “Stop sign monitoring system” means a device designed to capture a recorded image of a violation.

(6) (i) “Violation” means a failure to come to a complete stop at a stop sign in violation of § 21–707 of this subtitle.

(ii) “Violation” does not include any action a driver is instructed to take by a police officer.

(c) (1) Subject to paragraphs (2) through (5) of this subsection, an agency may use stop sign monitoring systems:

(i) On highways located in a school zone maintained by a local jurisdiction, if authorized by the governing body of the local jurisdiction; or

(ii) On State highways located in a school zone, if authorized by the State Highway Administration.

(2) A stop sign monitoring system:

(i) 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; and

(ii) [May] **IN PRINCE GEORGE’S COUNTY, MAY** only be used at a location approved by the Prince George’s County Council.

(3) [The county] **PRINCE GEORGE’S COUNTY** shall prioritize the placement of stop sign monitoring systems within municipalities that have high violation rates.

(4) Before beginning use of stop sign monitoring systems, an agency shall publish notice that the agency has adopted the use of stop sign monitoring systems on its website and, **IN BALTIMORE CITY AND PRINCE GEORGE’S COUNTY ONLY**, in a newspaper of general circulation in the jurisdiction in which the stop sign monitoring system will be used.

(5) (i) [The] A county shall prominently place signs on highways within the county providing notice that stop sign monitoring systems are used in the county.

(ii) The State Highway Administration shall place signs prominently providing notice that stop sign monitoring systems are in use on State highways.

1 (d) A recorded image under this section indicating that the driver of a motor
2 vehicle has committed a violation shall include:

3 (1) The time and date of the violation; and

4 (2) To the extent possible, the location of the violation.

5 (e) (1) Unless the driver of the motor vehicle received a citation from a police
6 officer at the time of the violation, the owner or, in accordance with subsection (f)(3) or (h)(4)
7 or (5) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor
8 vehicle is recorded by a stop sign monitoring system during the commission of a violation.

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

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

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

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

15 (f) (1) Subject to the provisions of paragraphs (2) through (5) of this
16 subsection, an agency shall mail to the owner liable under subsection (e) of this section a
17 citation that shall include:

18 (i) The name and address of the registered owner of the vehicle;

19 (ii) The registration **PLATE** number of the motor vehicle involved in
20 the violation;

21 (iii) The violation charged;

22 (iv) To the extent possible, the location of the violation;

23 (v) The date and time of the violation;

24 (vi) A copy of the recorded image;

25 (vii) The amount of the civil penalty imposed and the date by which
26 the civil penalty must be paid;

27 (viii) A signed statement by a technician employed by the agency that,
28 based on the inspection of the recorded image, the motor vehicle was being operated during
29 the commission of a violation;

1 (ix) A statement that the recorded image is evidence of a violation;
2 and

3 (x) Information advising the person alleged to be liable under this
4 section:

5 1. Of the manner and time in which liability as alleged in the
6 citation may be contested in the District Court; and

7 2. That failure to pay the civil penalty or to contest liability
8 in a timely manner is an admission of liability and may result in refusal or suspension of
9 the motor vehicle registration.

10 (2) The agency may mail a warning notice in place of a citation to the owner
11 liable under subsection (e) of this section.

12 (3) (i) Before mailing a citation to a motor vehicle rental company liable
13 under subsection (e) of this section, an agency shall mail a notice to the motor vehicle rental
14 company stating that a citation will be mailed to the motor vehicle rental company unless,
15 within 45 days after receiving the notice, the motor vehicle rental company provides the
16 agency with:

17 1. A statement made under oath that states the name and
18 last known mailing address of the individual driving or renting the motor vehicle when the
19 violation occurred;

20 2. A. A statement made under oath that states that the
21 motor vehicle rental company is unable to determine who was driving the vehicle at the
22 time the violation occurred because the motor vehicle was stolen at the time of the violation;
23 and

24 B. A copy of the police report associated with the motor
25 vehicle theft claimed under item A of this item; or

26 3. Payment for the penalty associated with the violation.

27 (ii) An agency may not mail a citation to a motor vehicle rental
28 company liable under subsection (e) of this section if the motor vehicle rental company
29 complies with subparagraph (i) of this paragraph.

30 (4) Except as provided in paragraph (3) of this subsection and subsection
31 (h)(4) and (5) of this section, a citation issued under this section shall be mailed not later
32 than 2 weeks after the alleged violation.

33 (5) A person who receives a citation under paragraph (1) of this subsection
34 may:

1 (i) Pay the civil penalty in accordance with instructions on the
2 citation; or

3 (ii) Elect to stand trial for the alleged violation.

4 (g) (1) A certificate alleging that a violation occurred, sworn to or affirmed by
5 a duly authorized law enforcement officer employed by or under contract with an agency,
6 based on the inspection of a recorded image, shall be evidence of the facts contained in the
7 certificate and shall be admissible in any proceeding concerning the alleged violation.

8 (2) Adjudication of liability shall be based on preponderance of the
9 evidence.

10 (h) (1) The District Court may consider in defense of a violation:

11 (i) Subject to paragraph (2) of this subsection, that the motor vehicle
12 or registration plates of the motor vehicle were stolen before the violation occurred and
13 were not under the control or possession of the owner at the time of the violation;

14 (ii) Subject to paragraph (3) of this subsection, evidence that the
15 person named in the citation was not operating the vehicle at the time of the violation; and

16 (iii) Any other issues and evidence that the District Court considers
17 pertinent.

18 (2) To demonstrate that the motor vehicle or the registration plates were
19 stolen before the violation occurred and were not under the control or possession of the
20 owner at the time of the violation, the owner must submit proof that a police report about
21 the stolen motor vehicle or registration plates was filed in a timely manner.

22 (3) To satisfy the evidentiary burden under paragraph (1)(ii) of this
23 subsection, the person named in the citation shall provide to the District Court evidence to
24 the satisfaction of the District Court of who was operating the vehicle at the time of the
25 violation, including, at a minimum, the operator's name and current address.

26 (4) (i) The provisions of this paragraph apply only to a citation that
27 involves a Class E (truck) vehicle with a registered gross weight of 26,001 pounds or more,
28 Class F (tractor) vehicle, Class G (trailer) vehicle operated in combination with a Class F
29 (tractor) vehicle, or Class P (passenger bus) vehicle.

30 (ii) To satisfy the evidentiary burden under paragraph (1)(ii) of this
31 subsection, the person named in a citation described under subparagraph (i) of this
32 paragraph may provide to the District Court a letter, sworn to or affirmed by the person
33 and mailed by certified mail, return receipt requested, that:

34 1. States that the person named in the citation was not
35 operating the vehicle at the time of the violation; and

1 2. Provides the name, address, and driver's license
2 identification number of the person who was operating the vehicle at the time of the
3 violation.

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

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

13 (iii) A citation issued under subparagraph (ii) of this paragraph shall
14 be mailed not later than 2 weeks after receipt of the evidence from the District Court.

15 (i) If the civil penalty is not paid and the violation is not contested, the
16 Administration may refuse to register or reregister or may suspend the registration of the
17 motor vehicle.

18 (j) A violation for which a civil penalty is imposed under this section:

19 (1) Is not a moving violation for the purpose of assessing points under §
20 16-402 of this article and may not be recorded by the Administration on the driving record
21 of the owner or driver of the vehicle; and

22 (2) May not be considered in the provision of motor vehicle insurance
23 coverage.

24 (k) In consultation with law enforcement agencies, the Chief Judge of the District
25 Court shall adopt procedures for the issuance of citations, trials for violations, and the
26 collection of civil penalties imposed under this section.

27 (l) (1) An agency or an agent or a contractor designated by the agency shall
28 administer and process civil citations issued under this section in coordination with the
29 District Court.

30 (2) If a contractor in any manner operates a stop sign monitoring system
31 or administers or processes citations generated by a STOP SIGN monitoring system on
32 behalf of a local jurisdiction, the contractor's fee may not be contingent on a per-ticket basis
33 on the number of citations issued or paid.

34 SECTION ~~4~~ 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
35 ~~2026~~ 2027, the Montgomery County Department of Transportation shall report to the

Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on:

(1) through October 1, ~~2026~~ 2027:

(i) the time period during which stop sign monitoring systems were in use in the county; and

(ii) the number of warnings and citations issued as a result of violations recorded by a stop sign monitoring system in the county over the reported time period, by location and date;

(2) (i) the costs associated with implementing and operating stop sign monitoring systems; and

(ii) the revenue collected on a monthly basis as a result of violations recorded by stop sign monitoring systems;

(3) appropriate locations for the deployment of stop sign monitoring systems;

(4) the performance and reliability of stop sign monitoring systems used by the county; and

(5) the effectiveness of stop sign monitoring systems in reducing violations, crashes, and pedestrian injuries in the county and in areas where the stop sign monitoring systems were implemented and used.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2027, the Baltimore City Department of Transportation shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on:

(1) through October 1, 2027:

(i) the time period during which stop sign monitoring systems were in use in the city; and

(ii) the number of warnings and citations issued as a result of violations recorded by a stop sign monitoring system in the city over the reported time period, by location and date;

(2) (i) the costs associated with implementing and operating stop sign monitoring systems; and

(ii) the revenue collected on a monthly basis as a result of violations recorded by stop sign monitoring systems;

(3) appropriate locations for the deployment of stop sign monitoring systems;

(4) the performance and reliability of stop sign monitoring systems used by the city; and

(5) the effectiveness of stop sign monitoring systems in reducing violations, crashes, and pedestrian injuries in the city and in areas where the stop sign monitoring systems were implemented and used.

~~SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 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. If that termination provision takes effect, Section 1 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 6. 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act,~~ this Act shall take effect July 1, 2025. It shall remain effective for a period of ~~5~~ 4 years and, at the end of June 30, ~~2030~~ 2029, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.