

HOUSE BILL 1154

R5

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By: **Delegate Conaway**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Traffic Control Signal Monitoring Systems, Speed Monitoring**
3 **Systems, and Work Zone Speed Control Systems – Citation Responses**

4 FOR the purpose of altering a certain warning on a citation issued for a violation recorded
5 by a traffic control signal monitoring system, a speed monitoring system, or a work
6 zone speed control system to state the number of days within which a person alleged
7 to be liable must take a certain action in order to avoid an automatic admission of
8 liability; and generally relating to citations issued for violations recorded by traffic
9 control signal monitoring systems, speed monitoring systems, or work zone speed
10 control systems.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 21–202.1(a)(1) and (5) and (e)(2) through (5), 21–809(a)(1) and (8) and (d)(2)
14 through (5), and 21–810(a)(6) and (7)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 21–202.1(e)(1)(x), 21–809(d)(1)(xi), and 21–810(d)
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2019 Supplement)

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

Article – Transportation

21–202.1.

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

(5) “Traffic control signal monitoring system” means a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to produce recorded images of motor vehicles entering an intersection against a red signal indication.

(e) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection, an agency shall mail to the owner liable under subsection (d) of this section a citation which shall include:

(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. Warning that failure to pay the civil penalty or to contest liability [in a timely manner] **WITHIN 60 DAYS AFTER THE DATE OF ISSUANCE OF THE CITATION** 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 lieu of a citation to the owner liable under subsection (d) of this section.

(3) Except as provided in subsection (g)(5) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation.

(4) An agency may not mail a citation to a person who is not an owner under subsection (a)(3)(ii) of this section.

(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, directly to the political subdivision or to the District Court; or

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

21–809.

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

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

(d) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection, an agency shall mail to an owner liable under subsection (c) of this section a citation that shall include:

(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability [in a timely manner] **WITHIN 60 DAYS AFTER THE DATE OF ISSUANCE OF THE CITATION:**

1. Is an admission of liability;

2. May result in the refusal by the Administration to register the motor vehicle; and

3. May result in the suspension of the motor vehicle registration.

(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.

(3) Except as provided in subsection (f)(4) of this section, an agency may not mail a citation to a person who is not an owner.

(4) Except as provided in subsections (b)(1)(ix) and (f)(4) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle is registered in another state.

(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, directly to the political subdivision; or

(ii) Elect to stand trial in the District Court for the alleged violation.

21–810.

(a) (6) “Work zone” means a segment of a highway:

(i) That is identified as a temporary traffic control zone by traffic control devices that are placed or installed in general conformance with the State manual and specifications adopted for a uniform system of traffic control devices; and

(ii) Where highway construction, repair, maintenance, utility work, or a related activity, including the placement, installation, maintenance, or removal of a work zone traffic control device, is being performed regardless of whether workers are present.

(7) "Work zone speed control system" means a device having one or more motor vehicle sensors connected to a camera system capable of producing recorded images of motor vehicles traveling at or above a predetermined speed in or approaching a work zone.

(d) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection, a local police department, State police department, or police department contractor shall mail to the owner liable under subsection (c) of this section a citation that shall include:

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

(ii) The registration number of the motor vehicle involved in the violation;

(iii) The violation charged;

(iv) The location where the violation occurred;

(v) The date and time of the violation;

(vi) At least one recorded image of the vehicle with a data bar imprinted on each image that includes the speed of the vehicle and the date and time the image was recorded;

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

(viii) A signed statement by a police officer employed by the local police department or State police department that, based on inspection of recorded images, the motor vehicle was being operated in violation of this subtitle;

(ix) A statement that recorded images are evidence of a violation of this subtitle;

(x) Information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability ~~in a~~ [timely manner] **WITHIN 60 DAYS AFTER THE DATE OF ISSUANCE OF THE CITATION:**

1. Is an admission of liability;
2. May result in the refusal to register the motor vehicle; and
3. May result in the suspension of the motor vehicle registration.

(2) The local police department or State police department may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.

(3) Except as provided in subsection (f)(4) of this section, the local police department or State police department may not mail a citation to a person who is not an owner.

(4) Except as provided in subsection (f)(4) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation if the vehicle is registered in this State, and no later than 30 days after the alleged violation if the vehicle is registered in another state.

(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 in the District Court for the alleged violation.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.