

HOUSE BILL 988

R5
HB 1369/24 – ENT

5lr1033

By: **Montgomery County Delegation**

Introduced and read first time: January 31, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 6, 2025

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Speed Monitoring Systems – Maryland Route 200**
3 **(Intercounty Connector)**

4 **MC 10–25**

5 FOR the purpose of authorizing the placement and use by the Maryland Transportation
6 Authority of speed monitoring systems on Maryland Route 200 (Intercounty
7 Connector) in Montgomery County; requiring the District Court to remit to the
8 Authority any civil penalties collected by the Court resulting from a citation issued
9 using a speed monitoring system operated by the Authority; requiring the State
10 Highway Administration to provide the Authority with access to certain systems and
11 contacts; and generally relating to the placement and use of speed monitoring
12 systems on Maryland Route 200 (Intercounty Connector) in Montgomery County.

13 BY repealing and reenacting, without amendments,
14 Article – Courts and Judicial Proceedings
15 Section 7–302(a)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Courts and Judicial Proceedings
20 Section 7–302(e)(1) through (3)
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2024 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.



BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(e)(2)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)
(As enacted by Chapters 624 and 625 of the Acts of the General Assembly of 2024)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(e)(2)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)
(As enacted by Chapter 678 of the Acts of the General Assembly of 2024)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–809(a)(1) and (8), (b)(1)(vii), and (c)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(a)(2) and (5), (b)(1)(i), (vi), (viii), and (x), (4)(i), (5), and (6), (d)(5), (i),
(j)(2), and (k)
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.

(a) Except as provided in subsections (b) through (g) of this section, the clerks of the District Court shall:

(1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

(2) Remit them to the State under a system agreed upon by the Chief Judge of the District Court and the Comptroller.

(e) (1) (i) A citation issued [pursuant to] **UNDER** § 21–202.1, § 21–706.1, § 21–707.1, § 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] **BEFORE** 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.

(3) (I) [Civil] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, 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, bus lane monitoring system, or a noise abatement 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.

(II) **CIVIL PENALTIES RESULTING FROM CITATIONS ISSUED USING A SPEED MONITORING SYSTEM CONTROLLED BY THE MARYLAND TRANSPORTATION AUTHORITY THAT ARE COLLECTED BY THE DISTRICT COURT SHALL BE COLLECTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION AND REMITTED TO THE MARYLAND TRANSPORTATION AUTHORITY.**

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

Article – Courts and Judicial Proceedings

7–302.

(e) (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, a bus lane monitoring system, or a noise abatement monitoring system] **ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION** shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision:

1. **A VEHICLE HEIGHT MONITORING SYSTEM;**
2. **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;**
3. **A SPEED MONITORING SYSTEM;**

4. A WORK ZONE SPEED CONTROL SYSTEM;
5. A STOP SIGN MONITORING SYSTEM;
6. A SCHOOL BUS MONITORING CAMERA;
7. A BUS LANE MONITORING SYSTEM; OR
8. A NOISE ABATEMENT MONITORING SYSTEM.

(ii) A CITATION ISSUED AS THE RESULT OF ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION SHALL PROVIDE THAT, IN A CONTESTED CASE, THE PENALTY SHALL BE PAID DIRECTLY TO THE DISTRICT COURT:

1. A VEHICLE HEIGHT MONITORING SYSTEM;
2. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
3. A SPEED MONITORING SYSTEM;
4. A WORK ZONE SPEED CONTROL SYSTEM;
5. A STOP SIGN MONITORING SYSTEM;
6. A SCHOOL BUS MONITORING CAMERA;
7. A BUS LANE MONITORING SYSTEM; OR
8. A NOISE ABATEMENT MONITORING SYSTEM.

(III) 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, a bus lane monitoring system, or a noise abatement monitoring system in a case contested in District Court,] ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A STATE AGENCY shall provide that, IN AN UNCONTESTED OR CONTESTED CASE, the penalty shall be paid directly to the District Court:

1. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
2. A WORK ZONE SPEED CONTROL SYSTEM;

4. A BUS LANE MONITORING SYSTEM.

Article – Courts and Judicial Proceedings

3. A SPEED MONITORING SYSTEM:

4. A WORK ZONE SPEED CONTROL SYSTEM;
5. A STOP SIGN MONITORING SYSTEM;
6. A SCHOOL BUS MONITORING CAMERA; OR
7. A BUS LANE MONITORING SYSTEM.

(III) 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,] **ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A STATE AGENCY** shall provide that, **IN AN UNCONTESTED OR CONTESTED CASE**, the penalty shall be paid directly to the District Court:

1. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
2. A WORK ZONE SPEED CONTROL SYSTEM;
3. A SPEED MONITORING SYSTEM; OR
4. A BUS LANE MONITORING SYSTEM.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

7–302.

(e) (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 controlled by a political subdivision, a school bus monitoring camera, or a bus lane monitoring system] **ANY OF THE FOLLOWING SYSTEMS OR CAMERAS CONTROLLED BY A POLITICAL SUBDIVISION** shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision:

1. A VEHICLE HEIGHT MONITORING SYSTEM;
2. A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM;
3. A SPEED MONITORING SYSTEM;

6. A BUS LANE MONITORING SYSTEM.

6. A BUS LANE MONITORING SYSTEM.

4. A BUS LANE MONITORING SYSTEM.

Article – Transportation

21-809.

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

(2) “Agency” means:

(i) A law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; [or]

(ii) For a municipal corporation that does not maintain a police force, an agency established or designated by the municipal corporation to implement this subtitle using speed monitoring systems in accordance with this section; **OR**

(III) FOR SPEED MONITORING SYSTEMS PLACED AND USED ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR), THE MARYLAND TRANSPORTATION AUTHORITY.

(5) “Program administrator” means an employee or a representative of the local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY** designated by the local jurisdiction **OR THE AUTHORITY** to oversee a contract with a speed monitoring system contractor.

(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.

(b) (1) (i) **1.** A speed monitoring system may not be used [in] **BY** 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.

2. THE MARYLAND TRANSPORTATION AUTHORITY MAY USE SPEED MONITORING SYSTEMS ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN ACCORDANCE WITH THIS SECTION.

(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 Anne Arundel County, Montgomery County, or Prince George’s 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

1 miles per hour;

2 3. In Prince George's County:

3 A. Subject to subparagraph (vii)1 of this paragraph, on
4 Maryland Route 210 (Indian Head Highway); or

5 B. On that part of a highway located within the grounds of
6 an institution of higher education as defined in § 10–101(h) of the Education Article, or
7 within one-half mile of the grounds of a building or property used by the institution of
8 higher education where generally accepted traffic and engineering practices indicate that
9 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
10 institution of higher education;

11 4. Subject to subparagraph (vii)2 of this paragraph, on
12 Interstate 83 in Baltimore City;

13 5. In Anne Arundel County, on Maryland Route 175 (Jessup
14 Road) between the Maryland Route 175/295 interchange and the Anne Arundel
15 County–Howard County line; [or]

16 6. Subject to subparagraph (vii)3 of this paragraph, at the
17 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County;
18 **OR**

19 **7. BY THE MARYLAND TRANSPORTATION AUTHORITY**
20 **ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR) IN MONTGOMERY**
21 **COUNTY.**

22 (vii) 1. Not more than six mobile or stationary speed monitoring
23 systems may be placed on Maryland Route 210 (Indian Head Highway).

24 2. Not more than two speed monitoring systems may be
25 placed on Interstate 83 in Baltimore City.

26 3. Not more than one speed monitoring system may be placed
27 at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
28 County.

29 (viii) Before activating a speed monitoring system, the local
30 jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE,**
31 shall:

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

2. A. The [local] designee shall review a citation generated by a speed monitoring system if the person who received the citation requests review before the deadline for contesting liability under this section.

1 B. If the [local] designee determines that the citation is an
2 erroneous violation, the [local] designee shall void the citation.

3 C. If the [local] designee determines that a person did not
4 receive notice of a citation issued under this section due to an administrative error, the
5 [local] designee may resend the citation in accordance with subsection (d) of this section or
6 void the citation.

7 D. A [local] designee that takes any action described under
8 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the
9 action for the purpose of rescinding any administrative penalties imposed under subsection
10 (g) of this section.

11 E. A [local] designee may not determine that a citation is an
12 erroneous violation based solely on the dismissal of the citation by a court.

13 3. A [local] designee may not be employed by a speed
14 monitoring system contractor or have been involved in any review of a speed monitoring
15 system citation, other than review of a citation under this subparagraph.

16 4. On receipt of a written question or concern from a person,
17 the [local] designee shall provide a written answer or response to the person within a
18 reasonable time.

19 5. A local jurisdiction **AND THE MARYLAND**
20 **TRANSPORTATION AUTHORITY** shall make any written questions or concerns received
21 under this subparagraph and any subsequent written answers or responses available for
22 public inspection.

23 (4) (i) A speed monitoring system shall undergo an annual calibration
24 check performed by an independent calibration laboratory that is:

25 1. Selected by the local jurisdiction **OR THE MARYLAND**
26 **TRANSPORTATION AUTHORITY, AS APPROPRIATE**; and

27 2. Unaffiliated with the manufacturer of the speed
28 monitoring system.

29 (5) If a local jurisdiction **OR THE MARYLAND TRANSPORTATION**
30 **AUTHORITY** authorizes a program of speed monitoring systems under this section:

31 (i) The local jurisdiction **OR THE MARYLAND TRANSPORTATION**
32 **AUTHORITY** shall designate a program administrator who may not be an employee or
33 representative of the speed monitoring system contractor; and

(ii) The contract with the speed monitoring system contractor shall include the following provisions:

1. For potential violations submitted by a contractor for review by an agency, if more than 5% of the violations in a calendar year are erroneous violations, then the contractor shall be subject to liquidated damages for each erroneous violation equal to at least 50% of the fine amount for the erroneous violation, plus any reimbursements paid by the local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**; and

2. The local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY** may cancel a contract with a contractor if the contractor violates the contract by submitting erroneous violations to the agency that exceed a threshold specified in the contract or violates the law in implementing the contract.

(6) (i) The Maryland Police Training and Standards Commission, in consultation with the State Highway Administration and other interested stakeholders, shall develop a training program concerning the oversight and administration of a speed monitoring program by a local jurisdiction **AND THE MARYLAND TRANSPORTATION AUTHORITY**, including a curriculum of best practices in the State.

(ii) 1. A program administrator shall participate in the training program established under this paragraph before a local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY** initially implements a new speed monitoring program and subsequently at least once every 2 years.

2. A program administrator for a program in existence on June 1, 2014, shall initially participate in the training program on or before December 31, 2014, and subsequently at least once every 2 years.

3. If a local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY** designates a new program administrator, the new program administrator shall participate in the next available training program.

(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 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.

(d) (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 THE MARYLAND TRANSPORTATION AUTHORITY, AS APPROPRIATE**; or

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

(i) In consultation with the appropriate local government agencies **AND THE MARYLAND TRANSPORTATION AUTHORITY**, the Chief Judge of the District Court shall adopt procedures for the issuance of citations, the trial of civil violations, and the collection of civil penalties under this section.

(j) (2) If a contractor in any manner operates a speed monitoring system or administers or processes citations generated by a speed monitoring system on behalf of a local jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**, the contractor's fee may not be contingent on a per-ticket basis on the number of citations issued or paid.

(k) (1) On or before December 31 of each year, the Maryland Police Training and Standards Commission shall:

(i) Compile and make publicly available a report for the previous fiscal year on each speed monitoring system program operated by a local jurisdiction **AND THE MARYLAND TRANSPORTATION AUTHORITY** under this section; and

(ii) Submit the report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(2) The report shall include:

(i) The total number of citations issued;

(ii) The number of citations issued and the number voided as erroneous violations for each camera;

(iii) The gross revenue generated by the program;

(iv) The expenditures incurred by the program;

(v) The net revenue generated by the program;

(vi) The total amount of any payments made to a contractor under

1 the program;

2 (vii) A description of how the net revenue generated by the program
3 was used;

4 (viii) The number of employees of the local jurisdiction **OR THE**
5 **MARYLAND TRANSPORTATION AUTHORITY** involved in the program;

6 (ix) The type of speed monitoring system used by the local
7 jurisdiction **OR THE MARYLAND TRANSPORTATION AUTHORITY**;

8 (x) The locations at which each speed monitoring system was used
9 in the local jurisdiction **OR ON MARYLAND ROUTE 200 (INTERCOUNTY CONNECTOR)**;

10 (xi) The activation start and stop dates of each speed monitoring
11 system for each location at which it was used; and

12 (xii) The number of citations issued by each speed monitoring system
13 at each location.

14 (3) Each local jurisdiction with a speed monitoring system program **AND**
15 **THE MARYLAND TRANSPORTATION AUTHORITY** shall submit the information required
16 under paragraph (2) of this subsection to the Commission by October 31 of each year and
17 assist the Commission in the preparation of the annual report.

18 SECTION 6. AND BE IT FURTHER ENACTED, That the State Highway
19 Administration shall provide the Maryland Transportation Authority with access to the
20 State Highway Administration's existing speed monitoring systems and vendor contacts to
21 assist the Maryland Transportation Authority in the planning and implementing of the use
22 of speed monitoring systems under this Act.

23 SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take
24 effect on the taking effect of the termination provision specified in Section 3 of Chapters
25 624 and 625 of the Acts of the General Assembly of 2024. If that termination provision takes
26 effect, Section 2 of this Act, with no further action required by the General Assembly, shall
27 be abrogated and of no further force and effect. This Act may not be interpreted to have any
28 effect on that termination provision.

29 SECTION 8. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take
30 effect on the taking effect of the termination provision specified in Section 3 of Chapter 678
31 of the Acts of the General Assembly of 2024, contingent on the taking effect of the
32 termination provisions specified in Section 3 of Chapters 624 and 625 of the Acts of the
33 General Assembly of 2024. If all the termination provisions take effect, Section 3 of this
34 Act, with no further action required by the General Assembly, shall be abrogated and of no
35 further force and effect. This Act may not be interpreted to have any effect on these
36 termination provisions.

1 SECTION 9. AND BE IT FURTHER ENACTED, That, subject to the provisions of
2 Sections 7 and 8 of this Act, this Act shall take effect October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.