

HOUSE BILL 373

R5

0lr1575

By: **Delegate Carr**

Introduced and read first time: January 22, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration – Traffic Control Signal Monitoring Systems –**
3 **Reciprocal Agreements**

4 FOR the purpose of authorizing the application of certain provisions of law relating to a
5 traffic violation recorded by a traffic control signal monitoring system to a reciprocal
6 agreement between this State and another jurisdiction; authorizing the Motor
7 Vehicle Administration to enter into a certain agreement with another jurisdiction
8 for the reciprocal enforcement of traffic violations recorded by a traffic control signal
9 monitoring system, subject to a certain requirement; authorizing an agreement to
10 provide for the refusal of the registration of a motor vehicle for which a violation is
11 recorded by a traffic control signal monitoring system; prohibiting the
12 Administration from entering into an agreement with another jurisdiction under
13 certain circumstances; authorizing a certain political subdivision to coordinate with
14 the Administration to facilitate the reciprocal enforcement of violations recorded by
15 a traffic control signal monitoring system; providing for the application of certain
16 provisions of law; defining a certain term; and generally relating to reciprocal
17 agreements between the State and other jurisdictions for the enforcement of
18 violations recorded by traffic control signal monitoring systems.

19 BY repealing and reenacting, without amendments,
20 Article – Transportation
21 Section 21–202.1(a), (c), (d), and (h)
22 Annotated Code of Maryland
23 (2012 Replacement Volume and 2019 Supplement)

24 BY adding to
25 Article – Transportation
26 Section 21–202.1(k) and 21–202.2
27 Annotated Code of Maryland
28 (2012 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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.

(2) “Agency” means:

(i) For a traffic control signal operated and maintained at an intersection under the control of the State, the law enforcement agency primarily responsible for traffic control at that intersection; or

(ii) For a traffic control signal operated and maintained at an intersection under the control of a political subdivision, a law enforcement agency of the political subdivision that is authorized to issue citations 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 a lessee of a motor vehicle under a lease of 6 months or more.

(ii) “Owner” does not include a motor vehicle rental or leasing company or a holder of a special registration plate issued under Title 13, Subtitle 9, Part III of this article.

(4) “Recorded images” means images recorded by a traffic control signal 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 the rear of a motor vehicle and, on at least one image or portion of tape, clearly identifying the registration plate number of the motor vehicle.

(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

1 recorded images of motor vehicles entering an intersection against a red signal indication.

2 (c) This section applies to a violation of § 21–202(h) of this subtitle at an
3 intersection monitored by a traffic control signal monitoring system.

4 (d) (1) Unless the driver of the motor vehicle received a citation from a police
5 officer at the time of the violation, the owner or, in accordance with subsection (g)(5) of this
6 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is
7 recorded by a traffic control signal monitoring system while being operated in violation of
8 § 21–202(h) of this subtitle.

9 (2) A civil penalty under this subsection may not exceed \$100.

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

11 (i) A uniform citation form consistent with subsection (e)(1) of this
12 section and § 7–302 of the Courts and Judicial Proceedings 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 (h) 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 **(K) THIS SECTION MAY BE APPLIED TO ENFORCE A RECIPROCAL**
19 **AGREEMENT ENTERED INTO BY THE STATE AND ANOTHER JURISDICTION IN**
20 **ACCORDANCE WITH § 21–202.2 OF THIS SUBTITLE.**

21 **21–202.2.**

22 **(A) IN THIS SECTION, “TRAFFIC CONTROL SIGNAL MONITORING SYSTEM”**
23 **HAS THE MEANING STATED IN § 21–202.1 OF THIS SUBTITLE.**

24 **(B) THE ADMINISTRATION MAY ENTER INTO AN AGREEMENT WITH**
25 **ANOTHER JURISDICTION THAT PROVIDES FOR RECIPROCAL ENFORCEMENT OF**
26 **VIOLATIONS RECORDED BY A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM.**

27 **(C) AN AGREEMENT MADE UNDER THIS SECTION SHALL PROVIDE THAT,**
28 **WHILE IN ANOTHER JURISDICTION, THE DRIVERS LICENSED AND VEHICLES**
29 **REGISTERED IN THIS STATE ENJOY SIMILAR BENEFITS, PRIVILEGES, AND**
30 **EXEMPTIONS WITH REGARD TO ENFORCEMENT OF VIOLATIONS RECORDED BY A**
31 **TRAFFIC CONTROL SIGNAL MONITORING SYSTEM AS THE BENEFITS, PRIVILEGES,**
32 **AND EXEMPTIONS EXTENDED TO DRIVERS AND VEHICLES LICENSED OR**
33 **REGISTERED IN THE OTHER JURISDICTION WHILE IN THIS STATE.**

1 (D) AN AGREEMENT UNDER THIS SECTION MAY, IN ACCORDANCE WITH §
2 21-202.1 OF THIS SUBTITLE, PROVIDE FOR THE REFUSAL OF THE REGISTRATION OF
3 A MOTOR VEHICLE FOR WHICH A VIOLATION IS RECORDED BY A TRAFFIC CONTROL
4 SIGNAL MONITORING SYSTEM.

5 (E) THE ADMINISTRATION MAY NOT ENTER INTO AN AGREEMENT WITH
6 ANOTHER JURISDICTION IF THE PENALTY FOR A VIOLATION RECORDED BY A
7 TRAFFIC CONTROL SIGNAL MONITORING SYSTEM IN THAT JURISDICTION EXCEEDS
8 THE PENALTY FOR A VIOLATION RECORDED BY A TRAFFIC CONTROL SIGNAL
9 MONITORING SYSTEM IN THIS STATE BY MORE THAN 50%.

10 (F) A POLITICAL SUBDIVISION FOR WHICH A TRAFFIC CONTROL SIGNAL
11 MONITORING SYSTEM IS OPERATED AND MAINTAINED AT AN INTERSECTION UNDER
12 THE CONTROL OF THE POLITICAL SUBDIVISION SHALL COORDINATE WITH THE
13 ADMINISTRATION TO FACILITATE THE RECIPROCAL ENFORCEMENT OF VIOLATIONS
14 RECORDED BY THE TRAFFIC CONTROL SIGNAL MONITORING SYSTEM.

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