

HOUSE BILL 1365

R5

8lr1367

By: **Delegates Wivell, Ciliberti, Krebs, Long, McComas, McKay, Parrott, and Reilly**
Introduced and read first time: February 9, 2018
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring Systems – Operation in School Zones**
3 **(Truth in Speed Cameras Act of 2018)**

4 FOR the purpose of requiring that a local jurisdiction place a certain device adjacent to a
5 sign indicating a school zone before activating a speed monitoring system; altering
6 the hours during which a speed monitoring system in a school zone may be operated
7 and restricting the placement of a speed monitoring system to certain areas in a
8 school zone; limiting the fee that a contractor may receive for operating a speed
9 monitoring system or administering or processing citations generated by a speed
10 monitoring system on behalf of a local jurisdiction; and generally relating to speed
11 monitoring systems in school zones.

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 21–809(b)(1)(i) and (vi)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 21–809(b)(1)(vii) and (viii) and (j)
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2017 Supplement)

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

24 **Article – Transportation**

25 21–809.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (i) A speed monitoring system may not be used in a local jurisdiction
2 under this section unless its use is authorized by the governing body of the local jurisdiction
3 by local law enacted after reasonable notice and a public hearing.

4 (vi) This section applies to a violation of this subtitle recorded by a
5 speed monitoring system that meets the requirements of this subsection and has been
6 placed:

7 1. In Montgomery County, on a highway in a residential
8 district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles
9 per hour, which speed limit was established using generally accepted traffic engineering
10 practices;

11 2. In a school zone with a posted speed limit of at least 20
12 miles per hour; or

13 3. In Prince George’s County, on that part of a highway
14 located within the grounds of an institution of higher education as defined in § 10–101(h)
15 of the Education Article, or within one-half mile of the grounds of a building or property
16 used by the institution of higher education where generally accepted traffic and engineering
17 practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially
18 generated or influenced by the institution of higher education.

19 (vii) Before activating a speed monitoring system, the local
20 jurisdiction shall:

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

23 2. Ensure that each sign that designates a school zone is
24 proximate to a sign that:

25 A. Indicates that speed monitoring systems are in use in the
26 school zone; and

27 B. Is in accordance with the manual for and the specifications
28 for a uniform system of traffic control devices adopted by the State Highway Administration
29 under § 25–104 of this article; [and]

30 **3. ENSURE THAT EACH SIGN THAT DESIGNATES A**
31 **SCHOOL ZONE IS PROXIMATE TO A DEVICE THAT DISPLAYS A REAL–TIME POSTING**
32 **OF THE SPEED AT WHICH A DRIVER IS TRAVELING; AND**

33 [3.] 4. With regard to a speed monitoring system established
34 based on proximity to an institution of higher education under paragraph (1)(vi)3 of this
35 subsection, ensure that all speed limit signs approaching and within the segment of
36 highway on which the speed monitoring system is located include signs that:

1 A. Are in accordance with the manual and specifications for
2 a uniform system of traffic control devices adopted by the State Highway Administration
3 under § 25–104 of this article; and

4 B. Indicate that a speed monitoring system is in use.

5 (viii) A speed monitoring system in a school zone [may]:

6 1. **MAY** operate only [Monday through Friday between 6:00
7 a.m. and 8:00 p.m.] **BEGINNING 1 HOUR BEFORE UNTIL 1 HOUR AFTER**
8 **INSTRUCTIONAL HOURS ON DAYS WHEN SCHOOL IS IN SESSION; AND**

9 2. **MAY OPERATE ONLY ON A HIGHWAY IN THE SCHOOL**
10 **ZONE THAT FRONTS THE MAIN ENTRANCE OR THE ENTRANCE THAT EXPERIENCES**
11 **THE GREATEST AMOUNT OF STUDENT AND SCHOOL BUS TRAFFIC.**

12 (j) (1) An agency or an agent or contractor designated by the agency shall
13 administer and process civil citations issued under this section in coordination with the
14 District Court.

15 (2) If a contractor in any manner operates a speed monitoring system or
16 administers or processes citations generated by a speed monitoring system on behalf of a
17 local jurisdiction, the contractor's fee [may]:

18 (i) **MAY** not be contingent on a per–ticket basis on the number of
19 citations issued or paid; **AND**

20 (ii) **MAY NOT EXCEED 30% OF THE GROSS REVENUE**
21 **GENERATED BY THE SPEED MONITORING SYSTEM.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2018.