

HOUSE BILL 863

R5

6lr1325

By: **Delegates Hill, Atterbeary, Ebersole, Jalisi, Lam, and Wivell**

Introduced and read first time: February 8, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring Systems – Calibration Checks**

3 FOR the purpose of increasing the frequency of certain periodic calibration checks of speed
4 monitoring systems; requiring and providing for a calibration check of a speed
5 monitoring system when certain software is upgraded; requiring a local jurisdiction
6 with a speed monitoring program to publish online certain information about the
7 speed monitoring system under certain circumstances; and generally relating to
8 speed monitoring systems operated by local jurisdictions.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–809(b)(4) and (k)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2015 Supplement)

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

16 **Article – Transportation**

17 21–809.

18 (b) (4) (i) A speed monitoring system shall undergo [an annual] A
19 **QUARTERLY** calibration check performed by an independent calibration laboratory that is:

20 1. Selected by the local jurisdiction; and

21 2. Unaffiliated with the manufacturer of the speed
22 monitoring system.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) The independent calibration laboratory shall issue a signed
2 certificate of calibration after the [annual] **QUARTERLY** calibration check that:

3 1. Shall be kept on file; [and]

4 2. Shall be admitted as evidence in any court proceeding for
5 a violation of this section; **AND**

6 3. **SHALL BE PUBLISHED ONLINE BY THE LOCAL**
7 **JURISDICTION.**

8 (iii) **IN ADDITION TO THE REQUIREMENTS OF SUBPARAGRAPHS**
9 **(I) AND (II) OF THIS PARAGRAPH, WHEN THE SOFTWARE OF A SPEED MONITORING**
10 **SYSTEM IS UPGRADED:**

11 1. **THE SPEED MONITORING SYSTEM SHALL UNDERGO**
12 **AN INDEPENDENT CALIBRATION AS PROVIDED IN SUBPARAGRAPH (I) OF THIS**
13 **PARAGRAPH;**

14 2. **THE INDEPENDENT CALIBRATION LABORATORY**
15 **SHALL ISSUE A SIGNED CERTIFICATE OF CALIBRATION THAT:**

16 A. **SHALL BE KEPT ON FILE;**

17 B. **SHALL BE ADMITTED AS EVIDENCE IN ANY COURT**
18 **PROCEEDING FOR A VIOLATION OF THIS SECTION; AND**

19 C. **SHALL BE PUBLISHED ONLINE BY THE LOCAL**
20 **JURISDICTION.**

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

23 (i) Compile and make publicly available a report for the previous
24 fiscal year on each speed monitoring system program operated by a local jurisdiction under
25 this section; and

26 (ii) Submit the report to the Governor and, in accordance with §
27 2-1246 of the State Government Article, the General Assembly.

28 (2) The report shall include:

29 (i) The total number of citations issued;

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

3 (iii) The gross revenue generated by the program;

4 (iv) The expenditures incurred by the program;

5 (v) The net revenue generated by the program;

6 (vi) The total amount of any payments made to a contractor under
7 the program;

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

10 (viii) The number of employees of the local jurisdiction involved in the
11 program;

12 (ix) The type of speed monitoring system used by the local
13 jurisdiction;

14 (x) The locations at which each speed monitoring system was used
15 in the local jurisdiction;

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

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

20 (3) Each local jurisdiction with a speed monitoring system program shall,
21 **ON OR BEFORE OCTOBER 31 OF EACH YEAR:**

22 **(I) [submit] SUBMIT** the information required under paragraph (2)
23 of this subsection to the Commission [by October 31 of each year] and assist the
24 Commission in the preparation of the annual report; **AND**

25 **(II) PUBLISH ONLINE THE INFORMATION REQUIRED UNDER**
26 **PARAGRAPH (2) OF THIS SUBSECTION, INCLUDING THOSE RECORDS USED TO**
27 **COMPILE THE INFORMATION SUBMITTED TO THE COMMISSION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2016.