

SENATE BILL 479

R5

4lr4596
CF HB 513

By: **The President (By Request – Administration) and Senators Augustine, Beidle, Carter, Elfreth, Ferguson, Gile, Hester, Hettleman, Lam, McKay, Rosapepe, Salling, Waldstreicher, M. Washington, West, and Zucker**

Introduced and read first time: January 22, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2024

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Work Zone Speed Control Systems – Revisions**
3 **(Maryland Road Worker Protection Act of 2024)**

4 FOR the purpose of altering the distribution of revenue from civil fines collected through
5 the use of work zone speed control systems to include certain distributions for
6 highway and work zone safety purposes; clarifying the highways on which a work
7 zone speed control system may be used; clarifying that a work zone speed control
8 system may be manned or unmanned and a system operator does not need to be
9 present when a work zone speed control system is in use; clarifying that multiple
10 work zone speed control systems may be implemented and used in a work zone;
11 altering the maximum penalty for a civil citation issued as a result of a recorded
12 image produced by a work zone speed control system; repealing a requirement that
13 warning notices be issued for violations recorded by a work zone speed control system
14 during certain periods of time; and generally relating to work zone speed control
15 systems.

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 7–302(e)(2) and (4)(i)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, without amendments,

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.



1 Article – Transportation
 2 Section 12–118(a) ~~and (e)~~ and 21–810(a)(1) and (d)(1)(x) and (xi)
 3 Annotated Code of Maryland
 4 (2020 Replacement Volume and 2023 Supplement)

5 BY repealing and reenacting, with amendments,
 6 Article – Transportation
 7 Section 12–118(c) and (e) and ~~21–810(b)(1)~~ 21–810(a)(6) and (7), (b)(1) and (2), (c),
 8 ~~(d)(1)(x) and (xi)~~, and (k)
 9 Annotated Code of Maryland
 10 (2020 Replacement Volume and 2023 Supplement)

11 BY adding to
 12 Article – Transportation
 13 Section 21–810~~(d)(1)(xii)~~ and (k) and (l)
 14 Annotated Code of Maryland
 15 (2020 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
 17 Chapter 500 of the Acts of the General Assembly of 2009
 18 Section 3

19 BY repealing and reenacting, with amendments,
 20 Article – Transportation
 21 Section 21–810(c)
 22 Annotated Code of Maryland
 23 (2020 Replacement Volume and 2023 Supplement)
 24 (As enacted by Section 1 of this Act)

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

27 **Article – Courts and Judicial Proceedings**

28 7–302.

29 (e) (2) (i) A citation issued as the result of a vehicle height monitoring
 30 system, a traffic control signal monitoring system, [or] a speed monitoring system,
 31 [including] a work zone speed control system[,] controlled by a political subdivision, a
 32 school bus monitoring camera, or a bus lane monitoring system shall provide that, in an
 33 uncontested case, the penalty shall be paid directly to that political subdivision.

34 (ii) A citation issued as the result of a traffic control signal
 35 monitoring system or a work zone speed control system controlled by a State agency, or as
 36 a result of a vehicle height monitoring system, a traffic control signal monitoring system, a
 37 speed monitoring system, a school bus monitoring camera, or a bus lane monitoring system

1 in a case contested in District Court, shall provide that the penalty shall be paid directly to
2 the District Court.

3 (4) (i) Except as provided in paragraph (5) of this subsection, from fines
4 collected by a political subdivision as a result of violations enforced by speed monitoring
5 systems, **WORK ZONE SPEED CONTROL SYSTEMS**, school bus monitoring cameras, or bus
6 lane monitoring systems, a political subdivision:

7 1. May recover the costs of implementing and administering
8 the speed monitoring systems, **WORK ZONE SPEED CONTROL SYSTEMS**, school bus
9 monitoring cameras, or bus lane monitoring systems; and

10 2. Subject to subparagraphs (ii), (iii), and (iv) of this
11 paragraph, may spend any remaining balance solely for public safety purposes, including
12 pedestrian **OR HIGHWAY** safety programs.

13 Article – Transportation

14 12–118.

15 (a) Except as specifically provided by law, all money received under the Maryland
16 Vehicle Law shall be accounted for and remitted to the State Comptroller.

17 (c) (1) Except as provided in paragraph (2) of this subsection, notwithstanding
18 any other law and in addition to any other exceptions provided by law, all costs, fines,
19 penalties, and forfeitures received by or paid to the District Court under the Maryland
20 Vehicle Law shall be collected and remitted as provided in the Courts Article.

21 (2) The Comptroller shall distribute revenue from the civil fines collected
22 through use of a work zone speed control system **CONTROLLED BY A STATE AGENCY**
23 under § 21–810 of this article to a special fund, to be used only as provided in subsection
24 (e) of this section.

25 (e) Money in the special fund established under subsection (c)(2) of this section:

26 (1) Shall be distributed first to the Department of State Police and the
27 State Highway Administration to cover the costs of implementing and administering work
28 zone speed control systems; [and]

29 (2) After the distribution under item (1) of this subsection, **25% OF ANY**
30 **REMAINING BALANCE** shall be distributed to the Department of State Police to be used
31 only for the purchase of replacement vehicles and related motor vehicle equipment used to
32 outfit police vehicles; **AND**

33 (3) **AFTER THE DISTRIBUTIONS UNDER ITEMS (1) AND (2) OF THIS**
34 **SUBSECTION, THE REMAINING BALANCE SHALL BE DISTRIBUTED TO THE**

1 **TRANSPORTATION TRUST FUND FOR HIGHWAY AND WORK ZONE SAFETY PURPOSES,**
 2 **WITH PRIORITY GIVEN TO THE PURCHASE AND DEPLOYMENT OF EQUIPMENT THAT**
 3 **IMPROVES WORK ZONE SAFETY.**

4 21–810.

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

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

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

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

14 (iii) **THAT IS EQUIPPED WITH:**

15 1. **SIGNAGE DESIGNATING EACH ENTRANCE AND EXIT**
 16 **TO THE WORK ZONE; AND**

17 2. **FLASHING LIGHTS THAT OPERATE WHENEVER**
 18 **WORKERS ARE PRESENT AT THE WORK ZONE.**

19 (7) “Work zone speed control system” means a device [having] THAT:

20 (i) **HAS one or more motor vehicle sensors connected to a camera**
 21 **system capable of producing recorded images of motor vehicles traveling at or above a**
 22 **predetermined speed in or approaching a work zone; AND**

23 (ii) **IS EQUIPPED WITH FLASHING BLUE LIGHTS.**

24 (b) (1) A work zone speed control system that meets the requirements of this
 25 subsection may be used to record the images of motor vehicles traveling on a highway:

26 (i) Within a work zone;

27 (ii) That is an expressway or a controlled access highway as defined
 28 in § 21–101 of this title; and

29 (iii) On which the speed limit, **AS POSTED BEFORE THE WORK**
 30 **ZONE WAS IMPLEMENTED AND** established using generally accepted traffic engineering
 31 practices, is 45 miles per hour or greater.

- 1 (2) **(I)** A work zone speed control system may be used only:
- 2 **[(i)]** **1.** On a highway as specified in paragraph (1) of this
3 subsection; **AND**
- 4 **[(ii)]** When being operated by a work zone speed control system
5 operator; and
- 6 **[(iii)]** **2.** If, in accordance with the Maryland manual on uniform
7 traffic control devices, a conspicuous road sign is placed at a reasonable distance consistent
8 with national guidelines before the work zone alerting drivers that a speed monitoring
9 system may be in operation in the work zone.
- 10 **(II)** **1.** **A WORK ZONE SPEED CONTROL SYSTEM MAY BE**
11 **MANNED OR UNMANNED.**
- 12 **2.** **A WORK ZONE SPEED CONTROL SYSTEM OPERATOR**
13 **DOES NOT NEED TO BE PRESENT IN PERSON OR REMOTELY AT THE HIGHWAY WORK**
14 **ZONE WHEN A WORK ZONE SPEED CONTROL SYSTEM IS IN USE.**
- 15 **(III)** **1.** **MULTIPLE WORK ZONE SPEED CONTROL SYSTEMS**
16 **MAY BE IMPLEMENTED AND USED IN A WORK ZONE.**
- 17 **2.** **IF A WORK ZONE HAS MORE THAN ONE WORK ZONE**
18 **SPEED CONTROL SYSTEM IN USE, NOT MORE THAN ONE CITATION WITHIN A 1-HOUR**
19 **PERIOD MAY BE ISSUED FOR THE SAME REGISTRATION PLATE FOR A VIOLATION IN**
20 **THE WORK ZONE.**
- 21 (c) (1) Unless the driver of the motor vehicle received a citation from a police
22 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
23 section, the driver of a motor vehicle is subject to a civil penalty if an image of the motor
24 vehicle is recorded by a work zone speed control system in accordance with subsection (b)
25 of this section while being operated in violation of this subtitle.
- 26 (2) A civil penalty under this subsection may not exceed **[\$40] ~~\$200~~ \$80**.
- 27 (3) For purposes of this section, the District Court shall:
- 28 (i) Prescribe a uniform citation form consistent with subsection
29 (d)(1) of this section and § 7-302 of the Courts Article; and
- 30 (ii) Indicate on the citation the amount of the civil penalty to be paid
31 by persons who choose to prepay the civil penalty without appearing in District Court.

1 21-810.

2 (c) (1) Unless the driver of the motor vehicle received a citation from a police
3 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
4 section, the driver of a motor vehicle is subject to a civil penalty if an image of the motor
5 vehicle is recorded by a work zone speed control system in accordance with subsection (b)
6 of this section while being operated in violation of this subtitle.

7 (2) ~~A EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,~~
8 A civil penalty under this subsection may not exceed ~~[\$200].~~

9 ~~(I) FOR A FIRST OR SECOND OFFENSE IN A CALENDAR YEAR,~~
10 ~~\$200; AND~~

11 ~~(II) FOR A THIRD OR SUBSEQUENT OFFENSE IN A~~
12 ~~CALENDAR YEAR, \$1,000;~~

13 (I) IF THE CITATION ALLEGES THAT THE DRIVER OF THE
14 MOTOR VEHICLE EXCEEDED THE POSTED SPEED LIMIT BY BETWEEN 12 AND 15
15 MILES PER HOUR, \$60;

16 (II) IF THE CITATION ALLEGES THAT THE DRIVER OF THE
17 MOTOR VEHICLE EXCEEDED THE POSTED SPEED LIMIT BY BETWEEN 16 AND 19
18 MILES PER HOUR, \$80;

19 (III) IF THE CITATION ALLEGES THAT THE DRIVER OF THE
20 MOTOR VEHICLE EXCEEDED THE POSTED SPEED LIMIT BY BETWEEN 20 AND 29
21 MILES PER HOUR, \$140;

22 (IV) IF THE CITATION ALLEGES THAT THE DRIVER OF THE
23 MOTOR VEHICLE EXCEEDED THE POSTED SPEED LIMIT BY BETWEEN 30 AND 39
24 MILES PER HOUR, \$270;

25 (V) IF THE CITATION ALLEGES THAT THE DRIVER OF THE
26 MOTOR VEHICLE EXCEEDED THE POSTED SPEED LIMIT BY 40 MILES PER HOUR OR
27 MORE, \$500.

28 (3) IF A CITATION IS FOR A VIOLATION RECORDED WHEN WORKERS
29 WERE PRESENT IN THE WORK ZONE, THE CIVIL PENALTY SHALL BE DOUBLE THE
30 AMOUNT THAT WOULD OTHERWISE APPLY UNDER PARAGRAPH (2) OF THIS
31 SUBSECTION.

32 (4) For purposes of this section, the District Court shall:

1 (i) Prescribe a uniform citation form consistent with subsection
2 (d)(1) of this section and § 7-302 of the Courts Article; and

3 (ii) Indicate on the citation the amount of the civil penalty to be paid
4 by persons who choose to prepay the civil penalty without appearing in District Court.

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

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

12 (xi) Information advising the person alleged to be liable under this
13 section that failure to pay the civil penalty or to contest liability in a timely manner:

- 14 1. Is an admission of liability;
- 15 2. May result in the refusal to register the motor vehicle; and
- 16 3. May result in the suspension of the motor vehicle
17 registration; ~~AND~~

18 ~~(XII) NOTICE OF THE INCREASED MAXIMUM CIVIL PENALTY~~
19 ~~APPLICABLE FOR A THIRD OR SUBSEQUENT OFFENSE IN THE SAME CALENDAR YEAR.~~

20 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
21 effect January 1, 2025.

22 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section
23 3 of this Act, this Act shall take effect June 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.