

HOUSE BILL 275

R5

0lr0938

By: **Prince George's County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2020

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Speed Monitoring Systems – Maryland Route 210**
3 **(Indian Head Highway)**

4 **PG 306–20**

5 FOR the purpose of repealing the requirement that certain revenue collected by Prince
6 George's County as a result of violations recorded by speed monitoring systems on
7 Maryland Route 210 (Indian Head Highway) be deposited into the Criminal Injuries
8 Compensation Fund and instead requiring that the revenue be credited to the State
9 Highway Administration to be used solely for certain safety-related purposes related
10 to Maryland Route 210 in Prince George's County; repealing as a funding source for
11 the Criminal Injuries Compensation Fund revenue generated as a result of violations
12 recorded by speed monitoring systems on Maryland Route 210 in Prince George's
13 County; and generally relating to the use of revenue generated as a result of
14 violations recorded by speed monitoring systems on Maryland Route 210 in Prince
15 George's County.

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 7–302(e)(4)
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2019 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article – Criminal Procedure

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 Section 11–819(a)(1)
 2 Annotated Code of Maryland
 3 (2018 Replacement Volume and 2019 Supplement)

4 BY repealing and reenacting, with amendments,
 5 Article – Criminal Procedure
 6 Section 11–819(a)(2)
 7 Annotated Code of Maryland
 8 (2018 Replacement Volume and 2019 Supplement)

9 BY repealing and reenacting, without amendments,
 10 Article – Transportation
 11 Section 21–809(a)(1) and (8) and (b)(1)(i), (vi)3.A., (vii), and (viii)3. and 4.
 12 Annotated Code of Maryland
 13 (2012 Replacement Volume and 2019 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 7–302.

18 (e) (4) (i) From the fines collected by a political subdivision as a result of
 19 violations enforced by speed monitoring systems or school bus monitoring cameras, a
 20 political subdivision:

21 1. May recover the costs of implementing and administering
 22 the speed monitoring systems or school bus monitoring cameras; and

23 2. Subject to subparagraphs (ii) and (iii) of this paragraph,
 24 may spend any remaining balance solely for public safety purposes, including pedestrian
 25 safety programs.

26 (ii) 1. For any fiscal year, if the balance remaining from the fines
 27 collected by a political subdivision as a result of violations enforced by speed monitoring
 28 systems, after the costs of implementing and administering the systems are recovered in
 29 accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total
 30 revenues of the political subdivision for the fiscal year, the political subdivision shall remit
 31 any funds that exceed 10% of the total revenues to the Comptroller.

32 2. The Comptroller shall deposit any money remitted under
 33 this subparagraph to the General Fund of the State.

34 (iii) The fines collected by Prince George’s County as a result of
 35 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted
 36 to the Comptroller for [deposit into the Criminal Injuries Compensation Fund under §

1 11–819 of the Criminal Procedure Article] DISTRIBUTION TO THE STATE HIGHWAY
2 ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COSTS OF:

3 1. EXAMINING THE ENGINEERING, INFRASTRUCTURE,
4 AND OTHER RELEVANT FACTORS THAT MAY CONTRIBUTE TO SAFETY ISSUES ON
5 MARYLAND ROUTE 210 IN PRINCE GEORGE’S COUNTY;

6 2. REPORTING ITS FINDINGS AND RECOMMENDATIONS
7 ON ANY SOLUTIONS TO THESE SAFETY ISSUES; AND

8 3. IMPLEMENTING ANY SOLUTIONS TO THESE SAFETY
9 ISSUES.

10 Article – Criminal Procedure

11 11–819.

12 (a) (1) There is a Criminal Injuries Compensation Fund.

13 (2) The Fund consists of:

14 (i) money distributed to the Fund from the additional court costs
15 collected from defendants under § 7–409 of the Courts Article;

16 (ii) [money distributed to the Fund under § 7–302(e)(4)(iii) of the
17 Courts Article from fines collected for violations enforced by speed monitoring systems on
18 Maryland Route 210 in Prince George’s County;

19 (iii)] any investment earnings or federal matching funds received by
20 the State for criminal injuries compensation; and

21 [(iv)] (III) funds made available to the Fund from any other source.

22 Article – Transportation

23 21–809.

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

25 (8) “Speed monitoring system” means a device with one or more motor
26 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12
27 miles per hour above the posted speed limit.

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

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

4 3. In Prince George's County:

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

7 (vii) Not more than three speed monitoring systems may be placed on
 8 Maryland Route 210 (Indian Head Highway).

9 (viii) Before activating a speed monitoring system, the local
 10 jurisdiction shall:

11 3. With regard to a speed monitoring system established on
 12 Maryland Route 210 (Indian Head Highway) in Prince George's County or based on
 13 proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection,
 14 ensure that all speed limit signs approaching and within the segment of highway on which
 15 the speed monitoring system is located include signs that:

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

19 B. Indicate that a speed monitoring system is in use; and

20 4. With regard to a speed monitoring system placed on
 21 Maryland Route 210 (Indian Head Highway) in Prince George's County, ensure that each
 22 sign that indicates that a speed monitoring system is in use is proximate to a device that
 23 displays a real-time posting of the speed at which a driver is traveling.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
 25 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.