

# HOUSE BILL 526

R5  
HB 166/13 – ENV

4lr0665

---

By: **Delegates Smigiel, Afzali, Anderson, Arentz, Bates, Cluster, Conaway, Frank, Hogan, Jacobs, Krebs, McComas, McConkey, McDermott, Norman, O'Donnell, Oaks, Otto, Schulz, Stocksedale, and Vitale**

Introduced and read first time: January 29, 2014

Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Speed Monitoring and Work Zone Speed Control Systems – Daily Calibration**  
3 **and Video Recordings**

4 FOR the purpose of requiring a speed monitoring system and a work zone speed  
5 control system to undergo a daily rather than an annual calibration check that  
6 is kept on file and may be admitted as evidence in certain court proceedings;  
7 requiring a speed monitoring system and a work zone speed control system to  
8 produce a video recording of every violation for which a certain citation is  
9 issued; requiring a certain citation to contain certain information relating to the  
10 availability of a certain video recording; and generally relating to daily  
11 calibration of and video recordings taken by speed monitoring systems and work  
12 zone speed control systems.

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 21–809(b)(4) and (d)(1) and 21–810(b)(6) and (d)(1)  
16 Annotated Code of Maryland  
17 (2012 Replacement Volume and 2013 Supplement)

18 BY adding to  
19 Article – Transportation  
20 Section 21–809(b)(5) and 21–810(b)(8)  
21 Annotated Code of Maryland  
22 (2012 Replacement Volume and 2013 Supplement)

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

25 **Article – Transportation**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-809.

2 (b) (4) (i) A speed monitoring system shall undergo [an annual] A  
3 **DAILY** calibration check performed by an independent calibration laboratory.

4 (ii) The independent calibration laboratory shall issue a signed  
5 certificate of calibration after the [annual] **DAILY** calibration check that:

6 1. Shall be kept on file; and

7 2. Shall be admitted as evidence in any court proceeding  
8 for a violation of this section.

9 **(5) A SPEED MONITORING SYSTEM SHALL PRODUCE A VIDEO**  
10 **RECORDING OF EVERY VIOLATION FOR WHICH A CITATION IS ISSUED.**

11 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this  
12 subsection, an agency shall mail to an owner liable under subsection (c) of this section  
13 a citation that shall include:

14 (i) The name and address of the registered owner of the vehicle;

15 (ii) The registration number of the motor vehicle involved in the  
16 violation;

17 (iii) The violation charged;

18 (iv) The location where the violation occurred;

19 (v) The date and time of the violation;

20 (vi) A copy of the recorded image;

21 (vii) The amount of the civil penalty imposed and the date by  
22 which the civil penalty should be paid;

23 (viii) A signed statement by a duly authorized law enforcement  
24 officer employed by or under contract with an agency that, based on inspection of  
25 recorded images, the motor vehicle was being operated in violation of this subtitle;

26 (ix) A statement that recorded images are evidence of a violation  
27 of this subtitle;

1 (x) Information advising the person alleged to be liable under  
2 this section of the manner and time in which liability as alleged in the citation may be  
3 contested in the District Court; [and]

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

7 1. Is an admission of liability;

8 2. May result in the refusal by the Administration to  
9 register the motor vehicle; and

10 3. May result in the suspension of the motor vehicle  
11 registration;

12 **(XII) A PROMINENT STATEMENT THAT THE PERSON ALLEGED**  
13 **TO BE LIABLE UNDER THIS SECTION MAY REQUEST AND SHALL BE PROVIDED A**  
14 **VIDEO RECORDING OF THE VIOLATION FREE OF CHARGE PRIOR TO ANY TRIAL**  
15 **FOR THE ALLEGED VIOLATION; AND**

16 **(XIII) INFORMATION ADVISING THE PERSON ALLEGED TO BE**  
17 **LIABLE UNDER THIS SECTION AS TO HOW TO REQUEST AND ACQUIRE A VIDEO**  
18 **RECORDING OF THE VIOLATION.**

19 21-810.

20 (b) (6) (i) A work zone speed control system shall undergo [an annual]  
21 A DAILY calibration check performed by an independent calibration laboratory.

22 (ii) The independent calibration laboratory shall issue a signed  
23 certificate of calibration after the [annual] DAILY calibration check that:

24 1. Shall be kept on file; and

25 2. Shall be admitted as evidence in any court proceeding  
26 for a violation of this section.

27 **(8) A WORK ZONE SPEED CONTROL SYSTEM SHALL PRODUCE A**  
28 **VIDEO RECORDING OF EVERY VIOLATION FOR WHICH A CITATION IS ISSUED.**

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

1 (i) The name and address of the registered owner of the vehicle;

2 (ii) The registration number of the motor vehicle involved in the  
3 violation;

4 (iii) The violation charged;

5 (iv) The location where the violation occurred;

6 (v) The date and time of the violation;

7 (vi) At least one recorded image of the vehicle with a data bar  
8 imprinted on each image that includes the speed of the vehicle and the date and time  
9 the image was recorded;

10 (vii) The amount of the civil penalty imposed and the date by  
11 which the civil penalty should be paid;

12 (viii) A signed statement by a police officer employed by the local  
13 police department or State police department that, based on inspection of recorded  
14 images, the motor vehicle was being operated in violation of this subtitle;

15 (ix) A statement that recorded images are evidence of a violation  
16 of this subtitle;

17 (x) Information advising the person alleged to be liable under  
18 this section of the manner and time in which liability as alleged in the citation may be  
19 contested in the District Court; [and]

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

23 1. Is an admission of liability;

24 2. May result in the refusal to register the motor vehicle;  
25 and

26 3. May result in the suspension of the motor vehicle  
27 registration;

28 **(XII) A PROMINENT STATEMENT THAT THE PERSON ALLEGED**  
29 **TO BE LIABLE UNDER THIS SECTION MAY REQUEST AND SHALL BE PROVIDED A**  
30 **VIDEO RECORDING OF THE VIOLATION FREE OF CHARGE PRIOR TO ANY TRIAL**  
31 **FOR THE ALLEGED VIOLATION; AND**

1                                   **(XIII) INFORMATION ADVISING THE PERSON ALLEGED TO BE**  
2 **LIABLE UNDER THIS SECTION AS TO HOW TO REQUEST AND ACQUIRE A VIDEO**  
3 **RECORDING OF THE VIOLATION.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2014.