

HOUSE BILL 1186

R5

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By: **Delegate Metzgar**

Introduced and read first time: February 8, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Interstate Highways – Interstate Speed Monitoring Systems**

3 FOR the purpose of requiring the State Highway Administration to install and use a certain
4 minimum number of interstate speed monitoring systems on each interstate
5 highway; establishing procedures for implementing and using an interstate speed
6 monitoring system; requiring the Maryland Police Training and Standards
7 Commission, in consultation with the State Highway Administration and other
8 interested parties, to develop a certain training program; establishing procedures for
9 enforcing a violation recorded by an interstate speed monitoring system; authorizing
10 the State police department to issue a certain citation under certain circumstances;
11 authorizing the Motor Vehicle Administration to refuse to register or reregister a
12 motor vehicle cited for a violation under this Act; requiring the Chief Judge of the
13 District Court, in consultation with the State police department, to adopt certain
14 procedures; and generally relating to interstate speed monitoring systems on
15 interstate highways.

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 7–302(e)(1) through (3)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article – Transportation
23 Section 8–101(a) and (j)
24 Annotated Code of Maryland
25 (2020 Replacement Volume and 2023 Supplement)

26 BY adding to
27 Article – Transportation
28 Section 21–809.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–305(a) and 26–401
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

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

Article – Courts and Judicial Proceedings

7–302.

(e) (1) (i) A citation issued [pursuant to] **IN ACCORDANCE WITH** § 21–202.1, § 21–706.1, § 21–809, **§ 21–809.1**, § 21–810, § 21–1134, or § 24–111.3 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person’s intention to stand trial at least 5 days prior to the date of payment as set forth in the citation.

(ii) On receipt of the notice to stand trial, the agency shall forward to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person’s intention to stand trial.

(iii) On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.

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

(ii) A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, **AN INTERSTATE SPEED MONITORING SYSTEM**, a school bus monitoring camera, or a bus lane monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(3) Civil penalties resulting from citations issued using a vehicle height monitoring system, A traffic control signal monitoring system, A speed monitoring system, **AN INTERSTATE SPEED MONITORING SYSTEM**, A work zone speed control system, A

school bus monitoring camera, or A bus lane monitoring system that are collected by the District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12–118 of the Transportation Article.

Article – Transportation

8–101.

(a) In this title the following words have the meanings indicated.

(j) “Interstate highway” means a State highway that is part of the national interstate system in this State, as designated by the Administration and approved by the United States Secretary of Transportation under Title 23 of the United States Code.

21–809.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “ERRONEOUS VIOLATION” MEANS A POTENTIAL VIOLATION THAT IS:

1. APPARENTLY INACCURATE BASED ON A TECHNICAL VARIABLE THAT IS UNDER THE CONTROL OF AN INTERSTATE SPEED MONITORING SYSTEM CONTRACTOR; AND

2. A. SUBMITTED BY THE INTERSTATE SPEED MONITORING SYSTEM CONTRACTOR FOR REVIEW BY THE STATE POLICE DEPARTMENT; OR

B. REQUESTED BY A PERSON IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION FOR REVIEW BY A DESIGNEE UNDER SUBSECTION (C)(2) OF THIS SECTION.

(II) “ERRONEOUS VIOLATION” INCLUDES A POTENTIAL VIOLATION BASED ON:

1. A RECORDED IMAGE OF A REGISTRATION PLATE THAT DOES NOT MATCH THE REGISTRATION PLATE ISSUED FOR THE MOTOR VEHICLE IN THE RECORDED IMAGE;

2. A RECORDED IMAGE THAT SHOWS A STOPPED VEHICLE OR NO PROGRESSION;

1 3. AN INCORRECTLY MEASURED SPEED FOR A MOTOR
2 VEHICLE;

3 4. A MEASURED SPEED OF A MOTOR VEHICLE THAT IS
4 BELOW THE THRESHOLD SPEED THAT WOULD SUBJECT THE OWNER TO A CIVIL
5 CITATION UNDER THIS SECTION; OR

6 5. A RECORDED IMAGE THAT WAS TAKEN BY AN
7 INTERSTATE SPEED MONITORING SYSTEM WITH AN EXPIRED CALIBRATION
8 CERTIFICATE.

9 (3) “INTERSTATE HIGHWAY” HAS THE MEANING STATED IN § 8-101
10 OF THIS ARTICLE.

11 (4) “INTERSTATE SPEED MONITORING SYSTEM” MEANS A DEVICE
12 WITH ONE OR MORE MOTOR VEHICLE SENSORS PRODUCING RECORDED IMAGES OF
13 MOTOR VEHICLES TRAVELING AT SPEEDS AT LEAST 12 MILES PER HOUR ABOVE THE
14 POSTED SPEED LIMIT.

15 (5) “INTERSTATE SPEED MONITORING SYSTEM OPERATOR” MEANS
16 AN INDIVIDUAL WHO:

17 (I) HAS BEEN TRAINED AND CERTIFIED TO OPERATE AN
18 INTERSTATE SPEED MONITORING SYSTEM; AND

19 (II) Is:

20 1. A REPRESENTATIVE OF A STATE POLICE
21 DEPARTMENT; OR

22 2. A STATE HIGHWAY ADMINISTRATION CONTRACTOR.

23 (6) (I) “OWNER” MEANS THE REGISTERED OWNER OF A MOTOR
24 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR
25 MORE.

26 (II) “OWNER” DOES NOT INCLUDE:

27 1. A MOTOR VEHICLE RENTAL OR LEASING COMPANY;
28 OR

29 2. A HOLDER OF A SPECIAL REGISTRATION PLATE
30 ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.

1 **(7) “PROGRAM ADMINISTRATOR” MEANS AN EMPLOYEE OR A**
2 **REPRESENTATIVE OF THE STATE HIGHWAY ADMINISTRATION DESIGNATED BY THE**
3 **STATE HIGHWAY ADMINISTRATION TO OVERSEE A CONTRACT WITH AN INTERSTATE**
4 **SPEED MONITORING SYSTEM CONTRACTOR.**

5 **(8) “RECORDED IMAGE” MEANS AN IMAGE RECORDED BY AN**
6 **INTERSTATE SPEED MONITORING SYSTEM:**

7 **(I) ON:**

- 8 1. **A PHOTOGRAPH;**
- 9 2. **A MICROPHOTOGRAPH;**
- 10 3. **AN ELECTRONIC IMAGE;**
- 11 4. **VIDEOTAPE; OR**
- 12 5. **ANY OTHER MEDIUM; AND**

13 **(II) SHOWING:**

- 14 1. **THE REAR OF A MOTOR VEHICLE;**
- 15 2. **AT LEAST TWO TIME-STAMPED IMAGES OF THE**
16 **MOTOR VEHICLE THAT INCLUDE THE SAME STATIONARY OBJECT NEAR THE MOTOR**
17 **VEHICLE; AND**
- 18 3. **ON AT LEAST ONE IMAGE OR PORTION OF TAPE, A**
19 **CLEAR AND LEGIBLE IDENTIFICATION OF THE ENTIRE REGISTRATION PLATE**
20 **NUMBER OF THE MOTOR VEHICLE.**

21 **(9) “STATE POLICE DEPARTMENT” MEANS:**

22 **(I) THE DEPARTMENT OF STATE POLICE; AND**

23 **(II) THE MARYLAND TRANSPORTATION AUTHORITY POLICE**
24 **FORCE.**

25 **(B) (1) THE STATE HIGHWAY ADMINISTRATION SHALL INSTALL AND USE**
26 **AT LEAST ONE INTERSTATE SPEED MONITORING SYSTEM ON EACH INTERSTATE**
27 **HIGHWAY.**

(2) BEFORE ACTIVATING AN INTERSTATE SPEED MONITORING SYSTEM, THE STATE HIGHWAY ADMINISTRATION SHALL:

(I) PUBLISH NOTICE OF THE LOCATION OF THE INTERSTATE SPEED MONITORING SYSTEM ON ITS WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION IN THE STATE; AND

(II) ENSURE THAT ALL SPEED LIMIT SIGNS APPROACHING AND WITHIN THE SEGMENT OF INTERSTATE HIGHWAY ON WHICH THE INTERSTATE SPEED MONITORING SYSTEM IS LOCATED INCLUDE SIGNS THAT:

1. ARE IN ACCORDANCE WITH THE MANUAL AND SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25-104 OF THIS ARTICLE; AND

2. INDICATE THAT AN INTERSTATE SPEED MONITORING SYSTEM IS IN USE.

(3) THE STATE HIGHWAY ADMINISTRATION MAY NOT USE AN INTERSTATE SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF AN INTERSTATE HIGHWAY FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED WITHOUT PERFORMING AN ENGINEERING AND TRAFFIC INVESTIGATION.

(C) (1) THE STATE HIGHWAY ADMINISTRATION SHALL DESIGNATE AT LEAST ONE OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR CONCERNS ABOUT THE INTERSTATE SPEED MONITORING SYSTEM PROGRAM.

(2) (I) A DESIGNEE SHALL REVIEW A CITATION GENERATED BY AN INTERSTATE SPEED MONITORING SYSTEM IF THE PERSON WHO RECEIVED THE CITATION REQUESTED REVIEW BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER THIS SECTION.

(II) 1. IF A DESIGNEE DETERMINES THAT THE CITATION IS AN ERRONEOUS VIOLATION, THE DESIGNEE SHALL VOID THE CITATION.

2. A DESIGNEE MAY NOT DETERMINE THAT A CITATION IS AN ERRONEOUS VIOLATION BASED SOLELY ON THE DISMISSAL OF THE CITATION BY A COURT.

(III) IF A DESIGNEE DETERMINES THAT A PERSON DID NOT RECEIVE NOTICE OF A CITATION ISSUED UNDER THIS SECTION DUE TO AN

1 ADMINISTRATIVE ERROR, THE DESIGNEE MAY RESEND THE CITATION IN
2 ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION OR VOID THE CITATION.

3 (IV) A DESIGNEE THAT TAKES ANY ACTION DESCRIBED UNDER
4 SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL NOTIFY THE ADMINISTRATION OF
5 THE ACTION FOR THE PURPOSE OF RESCINDING ANY ADMINISTRATIVE PENALTIES
6 IMPOSED UNDER SUBSECTION (K) OF THIS SECTION.

7 (3) A DESIGNEE MAY NOT BE EMPLOYED BY AN INTERSTATE SPEED
8 MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED IN ANY REVIEW OF AN
9 INTERSTATE SPEED MONITORING SYSTEM CITATION, OTHER THAN REVIEW OF A
10 CITATION UNDER THIS SUBSECTION.

11 (4) ON RECEIPT OF A WRITTEN QUESTION OR CONCERN FROM A
12 PERSON, A DESIGNEE SHALL PROVIDE A WRITTEN ANSWER OR RESPONSE TO THE
13 PERSON WITHIN A REASONABLE TIME.

14 (5) THE STATE HIGHWAY ADMINISTRATION SHALL MAKE ANY
15 WRITTEN QUESTIONS OR CONCERNS RECEIVED UNDER THIS SUBSECTION AND ANY
16 SUBSEQUENT WRITTEN ANSWER OR RESPONSES AVAILABLE FOR PUBLIC
17 INSPECTION.

18 (D) (1) (I) THE STATE HIGHWAY ADMINISTRATION SHALL DESIGNATE
19 A PROGRAM ADMINISTRATOR TO OVERSEE A CONTRACT WITH AN INTERSTATE
20 SPEED MONITORING SYSTEM CONTRACTOR.

21 (II) A PROGRAM ADMINISTRATOR MAY NOT BE AN EMPLOYEE
22 OR REPRESENTATIVE OF THE INTERSTATE SPEED MONITORING SYSTEM
23 CONTRACTOR.

24 (2) A CONTRACT WITH AN INTERSTATE SPEED MONITORING SYSTEM
25 CONTRACTOR SHALL INCLUDE THE FOLLOWING PROVISIONS:

26 (I) FOR POTENTIAL VIOLATIONS SUBMITTED BY A
27 CONTRACTOR FOR REVIEW BY THE STATE POLICE DEPARTMENT, IF MORE THAN 5%
28 OF THE VIOLATIONS IN A CALENDAR YEAR ARE ERRONEOUS VIOLATIONS, THEN THE
29 CONTRACTOR SHALL BE SUBJECT TO LIQUIDATED DAMAGES FOR EACH ERRONEOUS
30 VIOLATION EQUAL TO AT LEAST 50% OF THE FINE AMOUNT FOR THE ERRONEOUS
31 VIOLATION, PLUS ANY REIMBURSEMENTS PAID BY THE STATE HIGHWAY
32 ADMINISTRATION; AND

33 (II) THE STATE HIGHWAY ADMINISTRATION MAY CANCEL A
34 CONTRACT WITH A CONTRACTOR IF THE CONTRACTOR VIOLATES THE CONTRACT BY

1 SUBMITTING ERRONEOUS VIOLATIONS TO THE STATE POLICE DEPARTMENT THAT
2 EXCEED A THRESHOLD SPECIFIED IN THE CONTRACT OR VIOLATES THE LAW IN
3 IMPLEMENTING THE CONTRACT.

4 (3) (I) THE MARYLAND POLICE TRAINING AND STANDARDS
5 COMMISSION, IN CONSULTATION WITH THE STATE HIGHWAY ADMINISTRATION AND
6 OTHER INTERESTED PARTIES, SHALL DEVELOP A TRAINING PROGRAM CONCERNING
7 THE OVERSIGHT AND ADMINISTRATION OF AN INTERSTATE SPEED MONITORING
8 PROGRAM BY THE STATE HIGHWAY ADMINISTRATION, INCLUDING A CURRICULUM
9 OF BEST PRACTICES IN THE STATE.

10 (II) 1. A PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN
11 THE TRAINING PROGRAM ESTABLISHED UNDER THIS PARAGRAPH BEFORE THE
12 STATE HIGHWAY ADMINISTRATION INITIALLY IMPLEMENTS A NEW SPEED
13 MONITORING PROGRAM AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.

14 2. A PROGRAM ADMINISTRATOR FOR A PROGRAM IN
15 EXISTENCE ON OCTOBER 1, 2024, SHALL INITIALLY PARTICIPATE IN THE TRAINING
16 PROGRAM ON OR BEFORE APRIL 30, 2025, AND SUBSEQUENTLY AT LEAST ONCE
17 EVERY 2 YEARS.

18 3. IF THE STATE HIGHWAY ADMINISTRATION
19 DESIGNATES A NEW PROGRAM ADMINISTRATOR, THE NEW PROGRAM
20 ADMINISTRATOR SHALL PARTICIPATE IN THE NEXT AVAILABLE TRAINING
21 PROGRAM.

22 (E) (1) (I) AN INTERSTATE SPEED MONITORING SYSTEM OPERATOR
23 SHALL COMPLETE A TRAINING:

24 1. PROVIDED BY A MANUFACTURER OF AN INTERSTATE
25 SPEED MONITORING SYSTEM; AND

26 2. ON THE PROCEDURES FOR SETTING UP, TESTING,
27 AND OPERATING THE INTERSTATE SPEED MONITORING SYSTEM.

28 (II) THE MANUFACTURER SHALL ISSUE A SIGNED CERTIFICATE
29 TO THE INTERSTATE SPEED MONITORING SYSTEM OPERATOR ON COMPLETION OF
30 THE TRAINING.

31 (III) THE CERTIFICATE OF TRAINING SHALL BE ADMITTED AS
32 EVIDENCE IN ANY COURT PROCEEDING FOR A VIOLATION OF THIS SECTION.

1 **(2) AN INTERSTATE SPEED MONITORING SYSTEM OPERATOR SHALL**
2 **FILL OUT AND SIGN A DAILY SET-UP LOG FOR AN INTERSTATE SPEED MONITORING**
3 **SYSTEM THAT:**

4 **(I) STATES THAT THE INTERSTATE SPEED MONITORING**
5 **SYSTEM OPERATOR SUCCESSFULLY PERFORMED OR REVIEWED AND EVALUATED**
6 **THE MANUFACTURER-SPECIFIED DAILY SELF-TEST OF THE INTERSTATE SPEED**
7 **MONITORING SYSTEM BEFORE PRODUCING A RECORDED IMAGE;**

8 **(II) SHALL BE KEPT ON FILE; AND**

9 **(III) SHALL BE ADMITTED AS EVIDENCE IN ANY COURT**
10 **PROCEEDING FOR A VIOLATION OF THIS SECTION.**

11 **(F) (1) AN INTERSTATE SPEED MONITORING SYSTEM SHALL UNDERGO**
12 **AN ANNUAL CALIBRATION CHECK PERFORMED BY AN INDEPENDENT CALIBRATION**
13 **LABORATORY THAT IS:**

14 **(I) SELECTED BY THE STATE HIGHWAY ADMINISTRATION; AND**

15 **(II) UNAFFILIATED WITH THE MANUFACTURER OF THE**
16 **INTERSTATE SPEED MONITORING SYSTEM.**

17 **(2) THE INDEPENDENT CALIBRATION LABORATORY SHALL ISSUE A**
18 **SIGNED CERTIFICATE OF CALIBRATION AFTER THE ANNUAL CALIBRATION CHECK**
19 **THAT SHALL BE:**

20 **(I) KEPT ON FILE; AND**

21 **(II) ADMITTED AS EVIDENCE IN ANY COURT PROCEEDING FOR A**
22 **VIOLATION OF THIS SECTION.**

23 **(G) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A**
24 **CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER**
25 **OR, IN ACCORDANCE WITH SUBSECTION (J)(4) OF THIS SECTION, THE DRIVER OF A**
26 **MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS**
27 **RECORDED BY AN INTERSTATE SPEED MONITORING SYSTEM WHILE BEING**
28 **OPERATED IN VIOLATION OF THIS SUBTITLE.**

29 **(2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$40.**

30 **(3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL**
31 **PRESCRIBE:**

(I) A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION (H)(1) OF THIS SECTION AND § 7-302 OF THE COURTS ARTICLE; AND

(II) A CIVIL PENALTY, WHICH SHALL BE INDICATED ON THE CITATION, TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY WITHOUT APPEARING IN DISTRICT COURT.

(H) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION, THE STATE POLICE DEPARTMENT SHALL MAIL TO AN OWNER LIABLE UNDER SUBSECTION (G) OF THIS SECTION A CITATION THAT SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE VEHICLE;

(II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;

(III) THE VIOLATION CHARGED;

(IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

(V) THE DATE AND TIME OF THE VIOLATION;

(VI) A COPY OF THE RECORDED IMAGE;

(VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE BY WHICH THE CIVIL PENALTY SHOULD BE PAID;

(VIII) A SIGNED STATEMENT BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH THE STATE POLICE DEPARTMENT THAT, BASED ON INSPECTION OF RECORDED IMAGES, THE MOTOR VEHICLE WAS BEING OPERATED IN VIOLATION OF THIS SUBTITLE;

(IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF A VIOLATION OF THIS SUBTITLE; AND

(X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION:

1. OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

1 **2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO**
2 **CONTEST LIABILITY IN A TIMELY MANNER:**

3 **A. IS AN ADMISSION OF LIABILITY;**

4 **B. MAY RESULT IN THE REFUSAL BY THE**
5 **ADMINISTRATION TO REGISTER THE MOTOR VEHICLE; AND**

6 **C. MAY RESULT IN THE SUSPENSION OF THE MOTOR**
7 **VEHICLE REGISTRATION.**

8 **(2) THE STATE POLICE DEPARTMENT MAY MAIL A WARNING NOTICE**
9 **INSTEAD OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (G) OF THIS**
10 **SECTION.**

11 **(3) EXCEPT AS PROVIDED IN SUBSECTION (J)(4) OF THIS SECTION,**
12 **THE STATE POLICE DEPARTMENT MAY NOT MAIL A CITATION TO A PERSON WHO IS**
13 **NOT AN OWNER.**

14 **(4) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (J)(4) OF THIS**
15 **SECTION, A CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NOT LATER**
16 **THAN 2 WEEKS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN**
17 **THIS STATE AND 30 DAYS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS**
18 **REGISTERED IN ANOTHER STATE.**

19 **(5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF**
20 **THIS SUBSECTION MAY:**

21 **(I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH**
22 **INSTRUCTIONS ON THE CITATION, DIRECTLY TO THE DISTRICT COURT; OR**

23 **(II) ELECT TO STAND TRIAL IN THE DISTRICT COURT FOR THE**
24 **ALLEGED VIOLATION.**

25 **(I) (1) A CERTIFICATE ALLEGING THAT THE VIOLATION OF THIS**
26 **SUBTITLE OCCURRED AND THE REQUIREMENTS UNDER SUBSECTIONS (B) THROUGH**
27 **(F) OF THIS SECTION HAVE BEEN SATISFIED, SWORN TO OR AFFIRMED BY A DULY**
28 **AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT**
29 **WITH THE STATE POLICE DEPARTMENT, BASED ON INSPECTION OF RECORDED**
30 **IMAGES PRODUCED BY AN INTERSTATE SPEED MONITORING SYSTEM, SHALL BE**
31 **EVIDENCE OF THE FACTS CONTAINED IN THE CERTIFICATE AND SHALL BE**
32 **ADMISSIBLE IN A PROCEEDING ALLEGING A VIOLATION UNDER THIS SECTION**

1 WITHOUT THE PRESENCE OR TESTIMONY OF THE INTERSTATE SPEED MONITORING
2 SYSTEM OPERATOR WHO PERFORMED THE REQUIREMENTS UNDER SUBSECTIONS
3 (B) THROUGH (F) OF THIS SECTION.

4 (2) IF A PERSON WHO RECEIVED A CITATION UNDER SUBSECTION (H)
5 OF THIS SECTION DESIRES THE INTERSTATE SPEED MONITORING SYSTEM
6 OPERATOR TO BE PRESENT AND TESTIFY AT TRIAL, THE PERSON SHALL NOTIFY THE
7 COURT AND THE STATE IN WRITING NOT LATER THAN 20 DAYS BEFORE TRIAL.

8 (3) ADJUDICATION OF LIABILITY SHALL BE BASED ON A
9 PREPONDERANCE OF EVIDENCE.

10 (J) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A
11 VIOLATION:

12 (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT
13 THE MOTOR VEHICLE OR THE REGISTRATION PLATES OF THE MOTOR VEHICLE WERE
14 STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL
15 OR POSSESSION OF THE VEHICLE OWNER AT THE TIME OF THE VIOLATION;

16 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,
17 EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE
18 VEHICLE AT THE TIME OF THE VIOLATION; AND

19 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT
20 COURT CONSIDERS PERTINENT.

21 (2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE
22 REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND
23 WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF
24 THE VIOLATION, THE OWNER SHALL SUBMIT PROOF THAT A POLICE REPORT
25 REGARDING THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN
26 A TIMELY MANNER.

27 (3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH
28 (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE
29 TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND
30 MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:

31 (I) STATES THAT THE PERSON NAMED IN THE CITATION WAS
32 NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

33 (II) INCLUDES ANY OTHER CORROBORATING EVIDENCE.

1 (4) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED
2 IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE
3 VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (3) OF THIS SUBSECTION
4 IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE VIOLATION,
5 THE CLERK OF THE COURT MAY PROVIDE TO THE STATE POLICE DEPARTMENT A
6 COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT
7 THE TIME OF THE VIOLATION.

8 (II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
9 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE
10 POLICE DEPARTMENT MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (H) OF
11 THIS SECTION TO THE PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE
12 VEHICLE AT THE TIME OF THE VIOLATION.

13 (III) ANY CITATION ISSUED UNDER SUBPARAGRAPH (II) OF THIS
14 PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE
15 EVIDENCE FROM THE DISTRICT COURT.

16 (K) IF A PERSON LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL
17 PENALTY OR CONTEST THE VIOLATION, THE ADMINISTRATION MAY REFUSE TO
18 REGISTER OR REREGISTER THE MOTOR VEHICLE CITED FOR THE VIOLATION.

19 (L) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
20 SECTION:

21 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
22 POINTS UNDER § 16-402 OF THIS ARTICLE;

23 (2) MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE
24 DRIVING RECORD OF THE OWNER OR DRIVER OF THE VEHICLE;

25 (3) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF §
26 26-305 OF THIS ARTICLE; AND

27 (4) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
28 INSURANCE COVERAGE.

29 (M) THE CHIEF JUDGE OF THE DISTRICT COURT, IN CONSULTATION WITH
30 THE STATE POLICE DEPARTMENT, SHALL ADOPT PROCEDURES FOR THE ISSUANCE
31 OF CITATIONS, THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL
32 PENALTIES UNDER THIS SECTION.

(N) (1) THE STATE POLICE DEPARTMENT OR A CONTRACTOR DESIGNATED BY THE STATE POLICE DEPARTMENT SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.

(2) IF A CONTRACTOR IN ANY MANNER OPERATES AN INTERSTATE SPEED MONITORING SYSTEM OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY AN INTERSTATE SPEED MONITORING SYSTEM ON BEHALF OF THE STATE HIGHWAY ADMINISTRATION, THE CONTRACTOR'S FEE MAY NOT BE CONTINGENT ON A PER-TICKET BASIS ON THE NUMBER OF CITATIONS ISSUED OR PAID.

(O) (1) ON OR BEFORE DECEMBER 31 EACH YEAR, THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL:

(I) COMPILE AND MAKE PUBLICLY AVAILABLE A REPORT FOR THE PREVIOUS FISCAL YEAR ON THE INTERSTATE SPEED MONITORING SYSTEM PROGRAM; AND

(II) SUBMIT THE REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(2) THE REPORT SHALL INCLUDE:

(I) THE TOTAL NUMBER OF CITATIONS ISSUED;

(II) THE NUMBER OF CITATIONS ISSUED AND THE NUMBER VOIDED AS ERRONEOUS VIOLATIONS FOR EACH CAMERA;

(III) THE GROSS REVENUE GENERATED BY THE PROGRAM;

(IV) THE EXPENDITURES INCURRED BY THE PROGRAM;

(V) THE NET REVENUE GENERATED BY THE PROGRAM;

(VI) THE TOTAL AMOUNT OF ANY PAYMENTS MADE TO A CONTRACTOR UNDER THE PROGRAM;

(VII) A DESCRIPTION OF HOW THE NET REVENUE GENERATED BY THE PROGRAM WAS USED;

(VIII) THE NUMBER OF EMPLOYEES OF THE STATE HIGHWAY ADMINISTRATION AND STATE POLICE DEPARTMENT INVOLVED IN THE PROGRAM;

(IX) THE TYPE OF INTERSTATE SPEED MONITORING SYSTEMS USED;

(X) THE LOCATIONS AT WHICH EACH INTERSTATE SPEED MONITORING SYSTEM WAS USED;

(XI) THE ACTIVATION START AND STOP DATES OF EACH INTERSTATE SPEED MONITORING SYSTEM FOR EACH LOCATION AT WHICH IT WAS USED; AND

(XII) THE NUMBER OF CITATIONS ISSUED BY EACH INTERSTATE SPEED MONITORING SYSTEM AT EACH LOCATION.

(P) THE STATE POLICE DEPARTMENT AND THE STATE HIGHWAY ADMINISTRATION JOINTLY SHALL ADOPT REGULATIONS ESTABLISHING STANDARDS AND PROCEDURES FOR INTERSTATE SPEED MONITORING SYSTEMS UNDER THIS SECTION.

26–305.

(a) The Administration may not register or transfer the registration of any vehicle involved in a parking violation under this subtitle, a violation under any federal parking regulation that applies to property in this State under the jurisdiction of the U.S. government, a violation of § 21–202(h) of this article as determined under § 21–202.1 of this article or Title 21, Subtitle 8 of this article as determined under § 21–809, **§ 21–809.1**, or § 21–810 of this article, or a violation of the Illegal Dumping and Litter Control Law under § 10–110 of the Criminal Law Article or a local law or ordinance adopted by Baltimore City relating to the unlawful disposal of litter as determined under § 10–112 of the Criminal Law Article, if:

(1) It is notified by a political subdivision or authorized State agency that the person cited for the violation under this subtitle, § 21–202.1, § 21–809, **§ 21–809.1**, or § 21–810 of this article, or § 10–110 or § 10–112 of the Criminal Law Article has failed to either:

(i) Pay the fine for the violation by the date specified in the citation; or

(ii) File a notice of his intention to stand trial for the violation;

(2) It is notified by the District Court that a person who has elected to stand trial for the violation under this subtitle, under § 21–202.1, § 21–809, **§ 21–809.1**, or §

21–810 of this article, or under § 10–110 or § 10–112 of the Criminal Law Article has failed to appear for trial; or

(3) It is notified by a U.S. District Court that a person cited for a violation under a federal parking regulation:

(i) Has failed to pay the fine for the violation by the date specified in the federal citation; or

(ii) Either has failed to file a notice of the person’s intention to stand trial for the violation, or, if electing to stand trial, has failed to appear for trial.

26–401.

If a person is taken before a District Court commissioner or is given a traffic citation or a civil citation under § 21–202.1, § 21–809, **§ 21–809.1**, § 21–810, § 21–1414, or § 24–111.3 of this article containing a notice to appear in court, the commissioner or court shall be one that sits within the county in which the offense allegedly was committed.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.