

Bill No.: _____

Requested: _____

Committee: _____

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By: **Montgomery County Delegation and Prince George’s County Delegation**

Requested by: The Chair on behalf of WSSC

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Work Zone Speed Control**
3 **Systems**
4 **(Ernest Dyson’s Law)**

5 **MC/PG 109–25**

6 FOR the purpose of authorizing the Washington Suburban Sanitary Commission Police
7 Department to use work zone speed control systems to record images of motor
8 vehicles traveling above certain rates of speed in certain highway work zones and to
9 issue certain speeding citations; and generally relating to the use of work zone speed
10 control systems by the Washington Suburban Sanitary Commission Police
11 Department.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 7–302(e)
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 21–810

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2020 Replacement Volume and 2024 Supplement)

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

5 **Article – Courts and Judicial Proceedings**

6 7–302.

7 (e) (1) **IN THIS SUBSECTION, “POLITICAL SUBDIVISION” INCLUDES THE**
8 **WASHINGTON SUBURBAN SANITARY COMMISSION.**

9 **(2)** (i) A citation issued pursuant to § 21–202.1, § 21–706.1, § 21–707.1,
10 § 21–809, § 21–810, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article shall
11 provide that the person receiving the citation may elect to stand trial by notifying the
12 issuing agency of the person’s intention to stand trial at least 5 days prior to the date of
13 payment as set forth in the citation.

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

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

20 **[(2)] (3)** (i) A citation issued as the result of a vehicle height
21 monitoring system, a traffic control signal monitoring system, a speed monitoring system,
22 a work zone speed control system **[or] CONTROLLED BY A POLITICAL SUBDIVISION**, a
23 stop sign monitoring system **[controlled by a political subdivision]**, a school bus monitoring
24 camera, a bus lane monitoring system, or a noise abatement monitoring system shall
25 provide that, in an uncontested case, the penalty shall be paid directly to that political
26 subdivision.

27 (ii) A citation issued as the result of a traffic control signal
28 monitoring system or a work zone speed control system controlled by a State agency, or as
29 a result of a vehicle height monitoring system, a traffic control signal monitoring system, a

1 speed monitoring system, **A WORK ZONE SPEED CONTROL SYSTEM**, a stop sign
2 monitoring system, a school bus monitoring camera, a bus lane monitoring system, or a
3 noise abatement monitoring system in a case contested in District Court, shall provide that
4 the penalty shall be paid directly to the District Court.

5 **[(3)] (4)** Civil penalties resulting from citations issued using a vehicle
6 height monitoring system, traffic control signal monitoring system, speed monitoring
7 system, work zone speed control system, stop sign monitoring system, school bus
8 monitoring camera, bus lane monitoring system, or a noise abatement monitoring system
9 that are collected by the District Court shall be collected in accordance with subsection (a)
10 of this section and distributed in accordance with § 12–118 of the Transportation Article.

11 **[(4)] (5)** (i) Except as provided in paragraph **[(5)] (6)** of this
12 subsection, from the fines collected by a political subdivision as a result of violations
13 enforced by speed monitoring systems, work zone speed control systems, stop sign
14 monitoring systems, school bus monitoring cameras, bus lane monitoring systems, or noise
15 abatement monitoring systems, a political subdivision:

16 1. May recover the costs of implementing and administering
17 the speed monitoring systems, work zone speed control systems, school bus monitoring
18 cameras, bus lane monitoring systems, or noise abatement monitoring systems; and

19 2. Subject to subparagraphs **[(ii), (iii), and (iv)] (II)**
20 **THROUGH (VI)** of this paragraph, may spend any remaining balance solely for public safety
21 purposes, including pedestrian or highway safety programs.

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

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

30 (iii) The fines collected by Prince George’s County as a result of
31 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted

1 to the Comptroller for distribution to the State Highway Administration to be used solely
2 to assist in covering the costs of:

3 1. Examining the engineering, infrastructure, and other
4 relevant factors that may contribute to safety issues on Maryland Route 210 in Prince
5 George’s County;

6 2. Reporting its findings and recommendations on any
7 solutions to these safety issues; and

8 3. Implementing any solutions to these safety issues.

9 (iv) 1. From the fines collected by Baltimore City as a result of
10 violations enforced by speed monitoring systems on Interstate 83, any balance remaining
11 after the allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to
12 the Comptroller for distribution to the Baltimore City Department of Transportation to be
13 used solely to assist in covering the cost of roadway improvements on Interstate 83 in
14 Baltimore City.

15 2. Fines remitted to the Baltimore City Department of
16 Transportation under subparagraph 1 of this subparagraph are supplemental to and
17 are not intended to take the place of funding that would otherwise be appropriated for uses
18 described under subparagraph 1 of this subparagraph.

19 (v) From the fines collected by Anne Arundel County as a result of
20 violations enforced by speed monitoring systems on Maryland Route 175 (Jessup Road)
21 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard
22 County line, any balance remaining after the allocation of fines under subparagraph (i)1 of
23 this paragraph shall be remitted to the Comptroller for distribution to the State Highway
24 Administration to be used solely to assist in covering the cost of speed reduction measures
25 and roadway and pedestrian safety improvements on Maryland Route 175 (Jessup Road)
26 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard
27 County line.

28 (vi) From the fines collected by the Town of Oxford as a result of
29 violations enforced by speed monitoring systems at the intersection of Maryland Route 333
30 (Oxford Road) and Bonfield Avenue in Talbot County, any balance remaining after the
31 allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to the

1 Comptroller for distribution to the State Highway Administration to be used solely to assist
2 in covering the cost of roadway and pedestrian safety improvements in and around the
3 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue.

4 **[(5)] (6)** From the fines collected by Baltimore City as a result of
5 violations enforced by a traffic control signal monitoring system, a speed monitoring system
6 not on Interstate 83, a school bus monitoring camera, or a vehicle height monitoring system,
7 Baltimore City:

8 (i) May recover the costs of implementing and administering a
9 traffic control signal monitoring system, a speed monitoring system not on Interstate 83, a
10 school bus monitoring camera, or a vehicle height monitoring system; and

11 (ii) Shall use the remaining balance for the following purposes:

12 1. Infrastructure and noninfrastructure activities eligible for
13 funding under the State Highway Administration’s Safe Routes to School Program, as
14 jointly agreed on by the Baltimore City Public Schools and the Baltimore City Department
15 of Transportation; and

16 2. Public safety or transportation infrastructure
17 improvements consistent with the purpose and goals of the Complete Streets Program
18 under § 8–903 of the Transportation Article and the Complete Streets Transportation
19 System under Article 26, § 40–6 of the Baltimore City Code.

20 **Article – Transportation**

21 21–810.

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

23 (2) “Local police department” means:

24 (i) The police department of any municipal corporation;

25 (ii) The police department of any county; **[and]**

1 (iii) The sheriff's department of any county that has highway traffic
2 patrol responsibilities; **OR**

3 (IV) **THE WASHINGTON SUBURBAN SANITARY COMMISSION**
4 **POLICE DEPARTMENT.**

5 (3) (i) "Owner" means the registered owner of a motor vehicle or a
6 lessee of a motor vehicle under a lease of 6 months or longer.

7 (ii) "Owner" does not include:

- 8 1. A motor vehicle rental or leasing company; or
9 2. A holder of a special registration plate issued under Title
10 13, Subtitle 9, Part III of this article.

11 (4) "Recorded image" means an image recorded by a work zone speed
12 control system:

13 (i) On:

- 14 1. A photograph;
15 2. A microphotograph;
16 3. An electronic image;
17 4. Videotape; or
18 5. Any other medium; and

19 (ii) Showing:

- 20 1. The rear of a motor vehicle;
21 2. At least two time-stamped images of the motor vehicle
22 that include the same stationary object near the motor vehicle; and

1 3. On at least one image or portion of tape, a clear and legible
2 identification of the entire registration plate number of the motor vehicle.

3 (5) “State police department” means:

4 (i) The Department of State Police; and

5 (ii) The Maryland Transportation Authority Police.

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;

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 to the work
16 zone; and

17 2. Flashing lights that operate whenever workers are
18 present at the work zone.

19 (7) “Work zone speed control system” means a device 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 (8) “Work zone speed control system operator” means an individual who
25 has been trained and certified to operate a work zone speed control system and who is:

- 1 (i) A police officer;
- 2 (ii) A representative of a local police department;
- 3 (iii) A representative of a State police department; or
- 4 (iv) A State Highway Administration contractor.

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

- 7 (i) Within a work zone; and
- 8 (ii) On which the speed limit, as posted before the work zone was
9 implemented and established using generally accepted traffic engineering practices, is 45
10 miles per hour or greater.

- 11 (2) (i) A work zone speed control system may be used only:
 - 12 1. On a highway as specified in paragraph (1) of this
13 subsection; and
 - 14 2. If, in accordance with the Maryland manual on uniform
15 traffic control devices, a conspicuous road sign is placed at a reasonable distance consistent
16 with national guidelines before the work zone alerting drivers that a speed monitoring
17 system may be in operation in the work zone.

18 (ii) A work zone speed control system operator does not need to be
19 present in person or remotely at the highway work zone when a work zone speed control
20 system is in use.

- 21 (iii) 1. Multiple work zone speed control systems may be
22 implemented and used in a work zone.
- 23 2. If a work zone has more than one work zone speed control
24 system in use, not more than one citation may be issued for the same registration plate for
25 alleged violations that occur within a 1-hour period in the work zone.

1 (3) A work zone speed control system may be used only to record the images
2 of vehicles that are traveling at speeds at least 12 miles per hour above the posted work
3 zone speed limit.

4 (4) (i) A work zone speed control system operator shall complete
5 training by the manufacturer of the work zone speed control system in the procedures for
6 setting up, testing, and operating the work zone speed control system.

7 (ii) On completion of the training, the manufacturer shall issue a
8 signed certificate to the work zone speed control system operator.

9 (iii) The certificate of training shall be admitted as evidence in any
10 court proceeding for a violation of this section.

11 (5) A work zone speed control system operator shall fill out and sign a daily
12 set-up log for a work zone speed control system that:

13 (i) States the date and time when and the location where the system
14 was set up;

15 (ii) States that the work zone speed control system operator
16 successfully performed, and the device passed, the manufacturer-specified self-tests of the
17 work zone speed control system before producing a recorded image;

18 (iii) Shall be kept on file; and

19 (iv) Shall be admitted as evidence in any court proceeding for a
20 violation of this section.

21 (6) (i) A work zone speed control system shall undergo an annual
22 calibration check performed by an independent calibration laboratory.

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

25 1. Shall be kept on file; and

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

3 (7) The procurement of a work zone speed control system by a unit of State
4 government shall be conducted in accordance with Title 13, Subtitle 1 of the State Finance
5 and Procurement Article.

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

11 (2) Except as provided in paragraph (3) of this subsection, a civil penalty
12 under this subsection is:

13 (i) If the citation alleges that the driver of the motor vehicle
14 exceeded the speed limit by between 12 and 15, inclusive, miles per hour, \$60;

15 (ii) If the citation alleges that the driver of the motor vehicle
16 exceeded the speed limit by between 16 and 19, inclusive, miles per hour, \$80;

17 (iii) If the citation alleges that the driver of the motor vehicle
18 exceeded the speed limit by between 20 and 29, inclusive, miles per hour, \$140;

19 (iv) If the citation alleges that the driver of the motor vehicle
20 exceeded the speed limit by between 30 and 39, inclusive, miles per hour, \$270;

21 (v) If the citation alleges that the driver of the motor vehicle
22 exceeded the speed limit by 40 miles per hour or more, \$500.

23 (3) If a citation is for a violation recorded when workers were present in
24 the work zone, the civil penalty shall be double the amount that would otherwise apply
25 under paragraph (2) of this subsection.

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

10 (ii) The registration number of the motor vehicle involved in the
11 violation;

12 (iii) The violation charged;

13 (iv) The location where the violation occurred;

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

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

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

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

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

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

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

- 6 1. Is an admission of liability;
- 7 2. May result in the refusal to register the motor vehicle; and
- 8 3. May result in the suspension of the motor vehicle
9 registration.

10 (2) The local police department or State police department may mail a
11 warning notice instead of a citation to the owner liable under subsection (c) of this section.

12 (3) Except as provided in subsection (f)(4) of this section, the local police
13 department or State police department may not mail a citation to a person who is not an
14 owner.

15 (4) Except as provided in subsection (f)(4) of this section, a citation issued
16 under this section shall be mailed no later than 2 weeks after the alleged violation if the
17 vehicle is registered in this State, and no later than 30 days after the alleged violation if
18 the vehicle is registered in another state.

19 (5) A person who receives a citation under paragraph (1) of this subsection
20 may:

- 21 (i) Pay the civil penalty in accordance with instructions on the
22 citation; or
- 23 (ii) Elect to stand trial in the District Court for the alleged violation.

24 (6) To mail the citation or warning notice, a local police department, State
25 police department, or police department contractor shall use:

- 26 (i) The current mailing address on file with the Administration; or

1 (ii) If a mailing address is unavailable, the current residential
2 address on file with the Administration.

3 (e) (1) A certificate alleging that the violation of this subtitle occurred and the
4 requirements under subsection (b) of this section have been satisfied, sworn to, or affirmed
5 by a police officer employed by the local police department or State police department, based
6 on inspection of recorded images produced by a work zone speed control system, shall be
7 evidence of the facts contained in the certificate and shall be admissible in a proceeding
8 alleging a violation under this section without the presence or testimony of the work zone
9 speed control system operator who performed the requirements under subsection (b) of this
10 section.

11 (2) If a person who received a citation under subsection (d) of this section
12 desires a work zone speed control system operator to be present and testify at trial, the
13 person shall notify the court and the police department that issued the citation in writing
14 no later than 20 days before trial.

15 (3) Adjudication of liability shall be based on a preponderance of evidence.

16 (f) (1) The District Court may consider in defense of a violation:

17 (i) Subject to paragraph (2) of this subsection, that the motor vehicle
18 or the registration plates of the motor vehicle were stolen before the violation occurred and
19 were not under the control or possession of the vehicle owner at the time of the violation;

20 (ii) Subject to paragraph (3) of this subsection, evidence that the
21 person named in the citation was not operating the vehicle at the time of the violation; and

22 (iii) Any other issues and evidence that the District Court deems
23 pertinent.

24 (2) To demonstrate that the motor vehicle or the registration plates were
25 stolen before the violation occurred and were not under the control or possession of the
26 owner at the time of the violation, the owner shall submit proof that a police report
27 regarding the stolen motor vehicle or registration plates was filed in a timely manner.

1 (3) To satisfy the evidentiary burden under paragraph (1)(ii) of this
2 subsection, the person named in the citation shall provide to the District Court a letter,
3 sworn to or affirmed by the person and mailed by certified mail, return receipt requested,
4 that:

5 (i) States that the person named in the citation was not operating
6 the vehicle at the time of the violation; and

7 (ii) Includes any other corroborating evidence.

8 (4) (i) If the District Court finds that the person named in the citation
9 was not operating the vehicle at the time of the violation or receives evidence under
10 paragraph (3) of this subsection identifying the person driving the vehicle at the time of the
11 violation, the clerk of the court may provide to the police department that issued the
12 citation a copy of any evidence substantiating who was operating the vehicle at the time of
13 the violation.

14 (ii) On receipt of substantiating evidence from the District Court
15 under subparagraph (i) of this paragraph, the police department that issued the citation
16 may issue a citation as provided in subsection (d) of this section to the person who the
17 evidence indicates was operating the vehicle at the time of the violation.

18 (iii) Any citation issued under subparagraph (ii) of this paragraph
19 shall be mailed no later than 2 weeks after receipt of the evidence from the District Court.

20 (g) If a person liable under this section does not pay the civil penalty or contest
21 the violation, the Administration may:

22 (1) Refuse to register or reregister the registration of the motor vehicle
23 cited for the violation; or

24 (2) Suspend the registration of the motor vehicle cited for the violation.

25 (h) A violation for which a civil penalty is imposed under this section:

26 (1) Is not a moving violation for the purpose of assessing points under §
27 16–402 of this article;

1 (2) May not be recorded by the Administration on the driving record of the
2 owner or driver of the vehicle;

3 (3) May be treated as a parking violation for purposes of § 26–305 of this
4 article; and

5 (4) May not be considered in the provision of motor vehicle insurance
6 coverage.

7 (i) In consultation with local police departments and State police departments,
8 the Chief Judge of the District Court shall adopt procedures for the issuance of citations,
9 the trial of civil violations, and the collection of civil penalties under this section.

10 (j) (1) [The] **A LOCAL POLICE DEPARTMENT OR THE** Department of State
11 Police, or a contractor designated by **A LOCAL POLICE DEPARTMENT OR** the Department
12 of State Police, shall administer and process civil citations issued under this section in
13 coordination with the District Court.

14 (2) If a contractor provides, deploys, or operates a work zone speed control
15 system for a police department, the contractor’s fee may not be contingent on the number
16 of citations issued or paid.

17 (k) (1) On or before December 1, 2024, and each December 1 thereafter, the
18 State Highway Administration shall report to the Governor and, in accordance with §
19 2–1257 of the State Government Article, the General Assembly:

20 (i) On any pilot program that the State Highway Administration
21 conducted in the previous fiscal year that tests new technologies for detecting and recording
22 a violation of this subtitle in a work zone; or

23 (ii) That the State Highway Administration did not conduct any such
24 pilot program in the previous fiscal year.

25 (2) A report submitted under paragraph (1)(i) of this subsection shall
26 include information on:

27 (i) How data collected from the device tested may be used for the
28 enforcement of violations of this subtitle in work zones; and

1 (ii) Any legislative or regulatory changes that would be necessary to
2 authorize the effective use of the device.

3 (l) On or before December 1, 2024, and each December 1 thereafter, the
4 Department shall report to the Governor and, in accordance with § 2–1257 of the State
5 Government Article, the General Assembly on how funds distributed to the Transportation
6 Trust Fund under § 12–118(e) of this article have been spent.

7 (m) The Department of State Police and the State Highway Administration jointly
8 shall adopt regulations establishing standards and procedures for work zone speed control
9 systems authorized under this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.