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Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Moriarty
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Checked by _____

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

A BILL ENTITLED

AN ACT concerning

Prince George's County – Crosswalk Monitoring Systems – Authorization and Privacy Protections

PG 302–27

FOR the purpose of authorizing the use of crosswalk monitoring systems in school zones in Prince George's County, if authorized by local law; providing that certain provisions of law and protections relating to the inspection, use, removal, and destruction of recorded images and associated data apply to recorded images produced by a crosswalk monitoring system; providing that the owner or driver of a motor vehicle recorded failing to yield to a pedestrian crossing a roadway in a crosswalk is subject to a citation and a certain civil penalty under certain circumstances; establishing certain defenses to a charge of an alleged violation recorded by a crosswalk monitoring system; prohibiting a contractor administering a crosswalk monitoring system from being compensated in a certain manner; and generally relating to the use of crosswalk monitoring systems in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13), 7–302(e)(1) through (3) and (4)(i), and 10–311
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–321
Annotated Code of Maryland
(2019 Replacement Volume and 2026 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–113.1(b)
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–502
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

BY adding to
Article – Transportation
Section 21–502.2
Annotated Code of Maryland
(2020 Replacement Volume and 2026 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

4–401.

Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

(13) A proceeding for a civil infraction under § 21–202.1, **§ 21–502.2,** § 21–704.1, § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article or § 10–112 of the Criminal Law Article;

7–302.

(e) (1) (i) A citation issued under § 21–202.1, **§ 21–502.2,** § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, 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 before 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 any of the following systems or cameras controlled by a political subdivision shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision:

1. A vehicle height monitoring system;

2. A traffic control signal monitoring system;

3. A speed monitoring system;

4. A work zone speed control system;

5. A stop sign monitoring system;

6. **A CROSSWALK MONITORING SYSTEM;**

7. A school bus monitoring camera;

[7.**]** **8.** A bus lane monitoring system; or

[8.**]** **9.** A noise abatement monitoring system.

(ii) A citation issued as the result of any of the following systems or cameras controlled by a political subdivision shall provide that, in a contested case, the penalty shall be paid directly to the District Court:

1. A vehicle height monitoring system;

2. A traffic control signal monitoring system;

3. A speed monitoring system;

4. A work zone speed control system;

5. A stop sign monitoring system;

6. **A CROSSWALK MONITORING SYSTEM;**

7. A school bus monitoring camera;

[7.**]** **8.** A bus lane monitoring system; or

[8.**]** **9.** A noise abatement monitoring system.

(iii) A citation issued as the result of any of the following systems or cameras controlled by a State agency shall provide that, in a contested case, the penalty shall be paid directly to the District Court:

1. A traffic control signal monitoring system;

2. A work zone speed control system;

3. A safety corridor speed monitoring system;

4. A speed monitoring system; or

5. A bus lane monitoring system.

(3) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph and paragraph (6) of this subsection, civil penalties resulting from citations issued using a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, safety corridor speed monitoring system, stop sign monitoring system, **CROSSWALK MONITORING SYSTEM,** school bus monitoring camera, bus lane monitoring system, or a noise abatement 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.

(ii) 1. The fines collected by the District Court as a result of violations enforced by speed monitoring systems on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to:

A. Recover the cost of implementing and administering the speed monitoring systems on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County; and

B. Assist in covering the cost of roadway and safety improvements on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County.

2. Fines distributed to the State Highway Administration under subsubparagraph 1 of this subparagraph are supplemental to and are not intended to take the place of funding that would otherwise be appropriated for uses described under subsubparagraph 1 of this subparagraph.

(iii) Civil penalties resulting from citations issued using a speed monitoring system controlled by the Maryland Transportation Authority that are collected by the District Court shall be collected in accordance with subsection (a) of this section and remitted to the Maryland Transportation Authority.

(4) (i) Except as provided in paragraphs (5) and (6) of this subsection, from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, work zone speed control systems, stop sign monitoring systems, **CROSSWALK MONITORING SYSTEMS,** school bus monitoring cameras, bus lane monitoring systems, or noise abatement monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems, work zone speed control systems, stop sign monitoring systems, **CROSSWALK MONITORING SYSTEMS,** school bus monitoring cameras, bus lane monitoring systems, or noise abatement monitoring systems; and

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

10–311.

(a) A recorded image of a motor vehicle produced by a traffic control signal monitoring system in accordance with § 21–202.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–202(h) of the Transportation Article without authentication.

(b) A recorded image of a motor vehicle produced by a speed monitoring system in accordance with § 21–809, § 21–810, or § 21–810.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of Title 21, Subtitle 8 of the Transportation Article without authentication.

(c) A recorded image of a motor vehicle produced by a school bus monitoring camera in accordance with § 21–706.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–706 of the Transportation Article without authentication.

(d) A recorded image of a motor vehicle produced by a vehicle height monitoring system in accordance with § 24–111.3 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of a State or local law restricting the presence of certain vehicles during certain times without authentication.

(e) A recorded image of a motor vehicle produced by a bus lane monitoring system in accordance with § 21–1134 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–1133 of the Transportation Article without authentication.

(f) A recorded image of a motor vehicle and any relevant recorded audio produced by a noise abatement monitoring system in conjunction with a noise measuring device in accordance with § 22–612 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 22–602 of the Transportation Article without authentication.

(g) A recorded image of a motor vehicle produced by a stop sign monitoring system in accordance with § 21–707.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–707 of the Transportation Article without authentication.

(h) **A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A CROSSWALK MONITORING SYSTEM IN ACCORDANCE WITH § 21–502.2 OF THE TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF § 21–502(A)(2) OF THE TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.**

(I) In any other judicial proceeding, a recorded image produced by a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, safety corridor speed monitoring system, stop sign monitoring system, **CROSSWALK MONITORING SYSTEM,** school bus monitoring camera, or bus lane monitoring system or a recorded image and any relevant recorded audio produced by a noise abatement monitoring system in conjunction with a noise measuring device is admissible as otherwise provided by law.

Article – General Provisions

4–321.

(a) In this section, "recorded image" or "recorded images" has the meaning stated in § 21–202.1, **§ 21–502.2,** § 21–706.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article.

(b) Except as provided in subsection (c) of this section, a custodian shall deny inspection of recorded images produced by:

(1) a traffic control signal monitoring system operated under § 21–202.1 of the Transportation Article;

(2) **A CROSSWALK MONITORING SYSTEM OPERATED UNDER § 21–502.2 OF THE TRANSPORTATION ARTICLE;**

(3) an automated railroad grade crossing enforcement system operated under § 21–704.1 of the Transportation Article;

[(3)**] (4)** a school bus monitoring camera operated under § 21–706.1 of the Transportation Article;

[(4)**] (5)** a stop sign monitoring system operated under § 21–707.1 of the Transportation Article;

[(5)**] (6)** a speed monitoring system operated under § 21–809 of the Transportation Article;

[(6)**] (7)** a work zone speed control system operated under § 21–810 of the Transportation Article;

[(7)**] (8)** a safety corridor speed monitoring system operated under § 21–810.1 of the Transportation Article;

[(8)**] (9)** a bus lane monitoring system operated under § 21–1134 of the Transportation Article;

[(9)**] (10)** a noise abatement monitoring system operated under § 22–612 of the Transportation Article; or

[(10)**] (11)** a vehicle height monitoring system operated under § 24–111.3 of the Transportation Article.

(c) A custodian shall allow inspection of recorded images:

(1) as required in § 12–113.1, § 21–202.1, **§ 21–502.2,** § 21–704.1, § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article;

(2) by any person issued a citation under § 21–202.1, **§ 21–502.2,** § 21–704.1, § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article, or by an attorney of record for the person; or

(3) by an employee or agent of an agency in an investigation or a proceeding relating to the imposition of or indemnification from civil liability under § 21–202.1, **§ 21–502.2,** § 21–704.1, § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–810.1, § 21–1134, § 22–612, or § 24–111.3 of the Transportation Article.

Article – Transportation

12–113.1.

(b) This section applies to:

(1) Traffic control signal monitoring systems under § 21–202.1 of this article;

(2) **CROSSWALK MONITORING SYSTEMS UNDER § 21–502.2 OF THIS ARTICLE;**

(3) Automated railroad grade crossing enforcement systems under § 21–704.1 of this article;

[(3)**] (4)** School bus monitoring cameras under § 21–706.1 of this article;

[(4)**] (5)** Stop sign monitoring systems under § 21–707.1 of this article;

[(5)**] (6)** Speed monitoring systems under § 21–809 of this article;

[(6)**] (7)** Work zone speed control systems under § 21–810 of this article;

[(7)**] (8)** Safety corridor speed monitoring systems under § 21–810.1 of this article;

[(8)**] (9)** Bus lane monitoring systems under § 21–1134 of this article;

[(9)**] (10)** Noise abatement monitoring systems under § 22–612 of this article;

[(10)**] (11)** Vehicle height monitoring systems under § 24–111.3 of this article; and

[(11)**] (12)** Any other automated traffic enforcement system authorized under State law.

21–502.

(a) (1) This subsection does not apply where:

(i) A pedestrian tunnel or overhead pedestrian crossing is provided, as described in § 21–503(b) of this subtitle; or

(ii) A traffic control signal is in operation.

(2) The driver of a vehicle shall come to a stop when a pedestrian crossing the roadway in a crosswalk is:

(i) On the half of the roadway on which the vehicle is traveling; or

(ii) Approaching from an adjacent lane on the other half of the roadway.

(b) A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

(d) A person may not commit a violation of subsection (a) or (c) of this section that contributes to an accident.

(e) A person convicted of a violation of subsection (d) of this section is subject to imprisonment not exceeding 2 months or a fine not exceeding $1,000 or both.

21–502.2.

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

(2) "AGENCY" MEANS A LAW ENFORCEMENT AGENCY THAT IS AUTHORIZED TO ISSUE A CITATION FOR A VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR REGULATIONS.

(3) "CROSSWALK MONITORING SYSTEM" MEANS A DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.

(4) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR VEHICLE OR LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR MORE.

(II) "OWNER" DOES NOT INCLUDE:

1. A MOTOR VEHICLE LEASING COMPANY; OR

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

(5) "RECORDED IMAGE" MEANS IMAGES RECORDED BY A CROSSWALK MONITORING SYSTEM:

(I) ON:

1. TWO OR MORE PHOTOGRAPHS;

2. TWO OR MORE MICROPHOTOGRAPHS;

3. TWO OR MORE ELECTRONIC IMAGES;

4. VIDEOTAPE; OR

5. ANY OTHER MEDIUM; AND

(II) SHOWING A MOTOR VEHICLE AND, ON AT LEAST ONE IMAGE OR PORTION OF TAPE, CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER OF THE MOTOR VEHICLE.

(6) (I) "VIOLATION" MEANS A FAILURE TO COME TO A COMPLETE STOP AT A CROSSWALK IN VIOLATION OF § 21–502(A)(2) OF THIS SUBTITLE.

(II) "VIOLATION" DOES NOT INCLUDE ANY ACTION A DRIVER IS INSTRUCTED TO TAKE BY A POLICE OFFICER.

(B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(C) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (5) OF THIS SUBSECTION, AN AGENCY MAY USE CROSSWALK MONITORING SYSTEMS:

(I) ON HIGHWAYS LOCATED IN A SCHOOL ZONE MAINTAINED BY A LOCAL JURISDICTION, IF AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION; OR

(II) ON STATE HIGHWAYS LOCATED IN A SCHOOL ZONE IF AUTHORIZED BY THE STATE HIGHWAY ADMINISTRATION.

(2) A CROSSWALK MONITORING SYSTEM:

(I) MAY NOT BE USED IN A LOCAL JURISDICTION UNDER THIS SECTION UNLESS ITS USE IS AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION BY LOCAL LAW ENACTED AFTER REASONABLE NOTICE AND A PUBLIC HEARING; AND

(II) MAY BE USED ONLY AT A LOCATION APPROVED BY THE PRINCE GEORGE'S COUNTY COUNCIL.

(3) THE COUNTY SHALL PRIORITIZE THE PLACEMENT OF CROSSWALK MONITORING SYSTEMS WITHIN MUNICIPALITIES THAT HAVE HIGH VIOLATION RATES.

(4) BEFORE BEGINNING USE OF CROSSWALK MONITORING SYSTEMS, AN AGENCY SHALL PUBLISH NOTICE THAT THE AGENCY HAS ADOPTED THE USE OF

CROSSWALK MONITORING SYSTEMS ON ITS WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION IN THE JURISDICTION IN WHICH THE CROSSWALK MONITORING SYSTEM WILL BE USED.

(5) (I) THE COUNTY SHALL PROMINENTLY PLACE SIGNS ON HIGHWAYS WITHIN THE COUNTY PROVIDING NOTICE THAT CROSSWALK MONITORING SYSTEMS ARE USED IN THE COUNTY.

(II) THE STATE HIGHWAY ADMINISTRATION SHALL PLACE SIGNS PROMINENTLY PROVIDING NOTICE THAT CROSSWALK MONITORING SYSTEMS ARE IN USE ON STATE HIGHWAYS.

(D) A RECORDED IMAGE UNDER THIS SECTION INDICATING THAT THE DRIVER OF A MOTOR VEHICLE HAS COMMITTED A VIOLATION SHALL INCLUDE:

(1) THE TIME AND DATE OF THE VIOLATION; AND

(2) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION.

(E) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OR, IN ACCORDANCE WITH SUBSECTION (F)(3) OR (H)(4) OR (5) OF THIS SECTION, THE DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS RECORDED BY A CROSSWALK MONITORING SYSTEM DURING THE COMMISSION OF A VIOLATION.

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

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

(I) A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION (F)(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.

(F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (5) OF THIS SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (E) 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) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION;

(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 MUST BE PAID;

(VIII) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE AGENCY THAT, BASED ON THE INSPECTION OF THE RECORDED IMAGE, THE MOTOR VEHICLE WAS BEING OPERATED DURING THE COMMISSION OF A VIOLATION;

(IX) A STATEMENT THAT THE RECORDED IMAGE IS EVIDENCE OF A VIOLATION; 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

2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

(2) THE AGENCY MAY MAIL A WARNING NOTICE IN PLACE OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION.

(3) (I) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, AN AGENCY SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS, WITHIN 45 DAYS AFTER RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL COMPANY PROVIDES THE AGENCY WITH:

1. A STATEMENT MADE UNDER OATH THAT STATES THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;

2. A. A STATEMENT MADE UNDER OATH THAT STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE WHO WAS DRIVING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

B. A COPY OF THE POLICE REPORT ASSOCIATED WITH THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR

3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

(II) AN AGENCY MAY NOT MAIL A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBSECTION (H)(4) AND (5) OF THIS SECTION, A CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER THE ALLEGED VIOLATION.

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

(I) PAY THE CIVIL PENALTY IN ACCORDANCE WITH INSTRUCTIONS ON THE CITATION; OR

(II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

(G) (1) A CERTIFICATE ALLEGING THAT A VIOLATION OCCURRED, SWORN TO OR AFFIRMED BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH AN AGENCY, BASED ON THE INSPECTION OF A RECORDED IMAGE, SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSIBLE IN ANY PROCEEDING CONCERNING THE ALLEGED VIOLATION.

(2) ADJUDICATION OF LIABILITY SHALL BE BASED ON A PREPONDERANCE OF THE EVIDENCE.

(H) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:

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

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

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

(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY MANNER.

(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE DISTRICT COURT OF WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION, INCLUDING, AT A MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.

(4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A CITATION THAT INVOLVES A CLASS E (TRUCK) VEHICLE WITH A REGISTERED GROSS WEIGHT OF 26,001 POUNDS OR MORE, CLASS F (TRACTOR) VEHICLE, CLASS G (TRAILER) VEHICLE OPERATED IN COMBINATION WITH A CLASS F (TRACTOR) VEHICLE, OR CLASS P (PASSENGER BUS) VEHICLE.

(II) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:

1. STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

2. PROVIDES THE NAME, ADDRESS, AND DRIVER'S LICENSE IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.

(5) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (4)(II)2 OF THIS SUBSECTION IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE VIOLATION, THE CLERK OF COURT SHALL PROVIDE TO THE AGENCY ISSUING THE CITATION A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.

(II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AGENCY MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (F) OF THIS SECTION TO THE PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.

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

(I) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT CONTESTED, THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER OR MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.

(J) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS SECTION:

(1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING POINTS UNDER § 16–402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE VEHICLE; AND

(2) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE.

(K) (1) IN CONSULTATION WITH LAW ENFORCEMENT AGENCIES, THE CHIEF JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF CITATIONS, TRIALS FOR VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES IMPOSED UNDER THIS SECTION.

(2) THE STANDARDS AND REQUIREMENTS FOR THE USE, PROCESSING, AND DISPOSAL OF RECORDED IMAGES AND ASSOCIATED DATA ESTABLISHED UNDER § 12–113.1 OF THIS ARTICLE APPLY TO CITATIONS ISSUED UNDER THIS SECTION.

(L) (1) AN AGENCY OR AN AGENT OR A CONTRACTOR DESIGNATED BY THE AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.

(2) IF A CONTRACTOR IN ANY MANNER OPERATES A CROSSWALK MONITORING SYSTEM OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A CROSSWALK MONITORING SYSTEM ON BEHALF OF A LOCAL JURISDICTION, THE

CONTRACTOR'S FEE MAY NOT BE CONTINGENT ON A PER–TICKET BASIS ON THE NUMBER OF CITATIONS ISSUED OR PAID.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2028, the Prince George's County Department of Public Works and Transportation shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on:

(1) through October 1, 2028:

(i) the time period during which crosswalk monitoring systems were in use in the county; and

(ii) the number of warnings and citations issued as a result of violations recorded by a crosswalk monitoring system in the county over the reported time period, by location and date;

(2) (i) the costs associated with implementing and operating crosswalk monitoring systems; and

(ii) the revenue collected on a monthly basis as a result of violations recorded by crosswalk monitoring systems;

(3) appropriate locations for the deployment of crosswalk monitoring systems;

(4) the performance and reliability of crosswalk monitoring systems used by the county; and

(5) the effectiveness of crosswalk monitoring systems in reducing violations, crashes, and pedestrian injuries in the county generally and in areas where the crosswalk monitoring systems were implemented and used.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2027. It shall remain effective for a period of 5 years and, at the end of June 30, 2032, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.