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Requested: _____
Committee: _____

Drafted by: Prada
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By: **Prince George's County Delegation**

A BILL ENTITLED

AN ACT concerning

Prince George's County – Speed Monitoring Systems on Maryland Route 210 – Penalties

PG 311–27

FOR the purpose of requiring the District Court to determine whether to order the suspension of the registration of a motor vehicle involved in certain violations recorded by a speed monitoring system placed and used on Maryland Route 210 (Indian Head Highway) in Prince George's County; requiring under certain circumstances the Motor Vehicle Administration to suspend the registration of motor vehicles that are subject to liability based on recorded images produced by speed monitoring systems on Maryland Route 210 (Indian Head Highway) in Prince George's County; and generally relating to speed monitoring systems placed and used on Maryland Route 210 (Indian Head Highway) in Prince George's County.

BY adding to
Article – Courts and Judicial Proceedings
Section 4–407
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

BY repealing and reenacting, without amendments,

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

Article – Transportation
Section 21–809(a)(9) and (b)(1)(vii)1. and 26–305(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(g) and 26–305(b)
Annotated Code of Maryland
(2020 Replacement Volume and 2026 Supplement)

BY repealing and reenacting, with amendments,
Chapter 806 of the Acts of the General Assembly of 2018, as amended by Chapter 606 of the Acts of the General Assembly of 2023
Section 3

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

Article – Courts and Judicial Proceedings

4–407.

(A) ON RECEIPT OF NOTICE OF AT LEAST TWO ALLEGED VIOLATIONS RECORDED BY SPEED MONITORING SYSTEMS ON MARYLAND ROUTE 210 (INDIAN HEAD HIGHWAY) UNDER § 21–809(G)(2)(VI) OF THE TRANSPORTATION ARTICLE, THE DISTRICT COURT SHALL SCHEDULE A HEARING TO DETERMINE WHETHER TO ORDER THE SUSPENSION OF THE REGISTRATION OF THE MOTOR VEHICLE INVOLVED IN THE ALLEGED VIOLATIONS.

(B) THE HEARING SHALL BE SCHEDULED TO TAKE PLACE BETWEEN 30 AND 60 DAYS AFTER NOTICE OF THE HEARING IS SERVED ON THE OWNER OF THE MOTOR VEHICLE.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF THE DISTRICT COURT DETERMINES BY A PREPONDERANCE OF THE EVIDENCE THAT THE OWNER OR DRIVER OF THE MOTOR VEHICLE IS LIABLE OR HAS BEEN FOUND LIABLE FOR THE VIOLATIONS, THE DISTRICT COURT SHALL ORDER THE MOTOR VEHICLE

ADMINISTRATION TO SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE FOR 45 DAYS.

(2) IF THE DISTRICT COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT SUSPENDING THE REGISTRATION OF THE MOTOR VEHICLE FOR 45 DAYS WOULD CAUSE UNDUE HARDSHIP TO THE OWNER OF THE MOTOR VEHICLE, THE DISTRICT COURT MAY:

(I) ORDER THE MOTOR VEHICLE ADMINISTRATION TO SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE FOR A PERIOD OF LESS THAN 45 DAYS; OR

(II) DECLINE TO ORDER THE MOTOR VEHICLE ADMINISTRATION TO SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.

(D) IN A PROCEEDING UNDER THIS SECTION, THE DISTRICT COURT MAY CONSIDER THE DEFENSES AVAILABLE TO AN OWNER OR DRIVER OF A MOTOR VEHICLE UNDER § 21–809(F) OF THE TRANSPORTATION ARTICLE.

Article – Transportation

21–809.

(a) (9) "Speed monitoring system" means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

(b) (1) (vii) 1. Not more than six mobile or stationary speed monitoring systems may be placed on Maryland Route 210 (Indian Head Highway).

(g) **(1)** If a person liable under this section does not pay the civil penalty or contest the violation, the Administration may refuse to register or reregister the motor vehicle cited for the violation.

(2) (I) THIS PARAGRAPH APPLIES ONLY TO VIOLATIONS RECORDED BY A SPEED MONITORING SYSTEM PLACED ON MARYLAND ROUTE 210 (INDIAN HEAD HIGHWAY) IN PRINCE GEORGE'S COUNTY.

(II) PRINCE GEORGE'S COUNTY SHALL PROVIDE NOTICE TO THE ADMINISTRATION OF ANY RECORDED VIOLATION FOR WHICH THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL PENALTY OR CONTEST THE VIOLATION IN A TIMELY MANNER.

(III) 1. THE ADMINISTRATION, ON NOTICE FROM PRINCE GEORGE'S COUNTY, SHALL SUSPEND THE REGISTRATION OF A MOTOR VEHICLE INVOLVED IN ONE OR MORE VIOLATIONS FOR WHICH:

A. THE OWNER OF THE MOTOR VEHICLE OR THE PERSON LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL PENALTY OR CONTEST THE VIOLATION IN A TIMELY MANNER; AND

B. THE OVERDUE CITATIONS TOTAL AT LEAST $500 IN CIVIL PENALTIES.

2. THE ADMINISTRATION SHALL REINSTATE A REGISTRATION SUSPENDED UNDER THIS SUBPARAGRAPH ON NOTICE FROM PRINCE GEORGE'S COUNTY THAT THE OWNER OF THE MOTOR VEHICLE OR THE PERSON LIABLE UNDER THIS SECTION HAS PAID:

A. ALL OVERDUE CIVIL PENALTIES AND ANY RELATED FEES AND COURT COSTS APPLICABLE TO THE MOTOR VEHICLE THAT DERIVED FROM THE OVERDUE CITATIONS; AND

B. A $30 ADMINISTRATIVE FEE TO PRINCE GEORGE'S COUNTY.

(IV) THE ADMINISTRATION, ON NOTICE FROM PRINCE GEORGE'S COUNTY, SHALL SUSPEND FOR 30 DAYS THE REGISTRATION OF A MOTOR VEHICLE ALLEGED TO BE INVOLVED IN AT LEAST THREE VIOLATIONS:

1. FOR WHICH THE OWNER OF THE MOTOR VEHICLE OR THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION IS FOUND LIABLE; AND

2. THAT OCCURRED WITHIN A 90–DAY PERIOD.

(V) THE ADMINISTRATION SHALL GIVE WRITTEN NOTICE TO THE OWNER OF THE MOTOR VEHICLE OF A REGISTRATION SUSPENSION IMPOSED UNDER THIS PARAGRAPH, AND THE OWNER MAY REQUEST A HEARING AS PROVIDED IN TITLE 12, SUBTITLE 2 OF THIS ARTICLE.

(VI) IF A MOTOR VEHICLE IS ALLEGED TO BE INVOLVED IN AT LEAST TWO VIOLATIONS FOR WHICH THE OWNER OF THE MOTOR VEHICLE OR THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION RECEIVES CITATIONS ALLEGING THAT THE DRIVER OF THE MOTOR VEHICLE EXCEEDED THE SPEED LIMIT BY AT LEAST 30 MILES PER HOUR, PRINCE GEORGE'S COUNTY SHALL PROVIDE NOTICE OF THE ALLEGED VIOLATIONS TO THE DISTRICT COURT.

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, § 21–810, or § 21–810.1 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, § 21–810, or § 21–810.1 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, § 21–810, or § 21–810.1 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.

(b) (1) Notwithstanding the provisions of subsection (a) of this section, the Administration may suspend the registration of a vehicle involved in a parking violation under this subtitle or a violation under any federal parking regulation that applies to property in this State under the jurisdiction of the U.S. government if notified in accordance with subsection (a) of this section that the violator is a chronic offender.

(2) The Administration may adopt rules and regulations to define chronic offender and develop procedures to carry out the suspension of registration as authorized by this subsection.

(3) FOR VIOLATIONS RECORDED BY A SPEED MONITORING SYSTEM ON MARYLAND ROUTE 210 (INDIAN HEAD HIGHWAY) IN PRINCE GEORGE'S COUNTY, THE ADMINISTRATION SHALL SUSPEND A MOTOR VEHICLE REGISTRATION IF:

(I) REQUIRED UNDER § 21–809(G)(2)(III) OR (IV) OF THIS ARTICLE; OR

(II) ORDERED BY THE DISTRICT COURT UNDER § 4–407 OF THE COURTS ARTICLE.

Chapter 806 of the Acts of 2018, as amended by Chapter 606 of the Acts of 2023

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018. It shall remain effective for a period of **[**10**]** **15** years and, at the end of September 30, **[**2028**]** **2033**, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2027.