

**SB0269/950411/2**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 269  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “counties” insert “and municipalities”; strike beginning with “altering” in line 7 down through “vehicle;” in line 9; in line 11, after “hearing;” insert “requiring a county, before using a speed monitoring system at certain locations, to obtain certain approval, provide certain notice, and provide a municipal corporation instead of the county the opportunity to use a speed monitoring system at the locations;”; strike beginning with “adding” in line 16 down through “violation;” in line 17 and substitute “requiring a certain speed monitoring system placed in a certain location to be calibrated to only record images of motor vehicles traveling at or above a certain speed; repealing a certain requirement that an individual provide certain information to satisfy a certain evidentiary burden;”; strike beginning with “requiring” in line 20 down through “manner;” in line 21; in line 24, strike “providing that” and substitute “requiring the Comptroller to distribute to the State Highway Administration”; and in line 25, strike “shall” and substitute “in an amount to cover the costs of implementing and administering the work zone speed control system”.

On page 2, strike beginning with “be” in line 1 down through “manner” in line 2; in line 5, after “calibration;” insert “requiring the procurement of a work zone speed control system by a unit of State or local government to be conducted in a certain manner, subject to a certain exception;”; in line 6, strike the second “certain” and substitute “reasonable”; in line 39, after “systems;” insert “requiring certain State and local entities to administer and process civil citations issued under this Act in consultation with the District Court;”; in line 43, after “correction;” insert “restricting the use of certain revenues generated by this Act;”; and in line 46, after “Act;” insert “providing that certain provisions of this Act do not apply to certain speed monitoring systems in Montgomery County;”.

(Over)

AMENDMENT NO. 2

On page 4, in line 28, strike “**OR A SPEED MONITORING SYSTEM**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 37 on page 4 through line 5 on page 5, inclusive.

On page 6, in line 1, strike “**THE STATE OR A**” and substitute “**A LOCAL**”; and in line 7, strike “**ENFORCE**” and substitute “**IMPLEMENT**”.

On page 13, in line 22, after the second “system” insert “, **INCLUDING A WORK ZONE SPEED CONTROL SYSTEM,**”; and in line 24, after “system” insert “**OR A WORK ZONE SPEED CONTROL SYSTEM**”.

AMENDMENT NO. 3

On page 6, in line 28, after “**CLEAR**” insert “**AND LEGIBLE**”; and in the same line, after the first “the” insert “**ENTIRE**”.

On page 7, in line 3, strike “**12**” and substitute “**10**”; and after line 10, insert:

“(II) BEFORE A COUNTY MAY USE A SPEED MONITORING SYSTEM ON A STATE HIGHWAY AT A LOCATION WITHIN A MUNICIPAL CORPORATION, THE COUNTY SHALL:

**1. OBTAIN THE APPROVAL OF THE STATE HIGHWAY ADMINISTRATION;**

**2. NOTIFY THE MUNICIPAL CORPORATION OF THE STATE HIGHWAY ADMINISTRATION’S APPROVAL OF THE USE OF A SPEED MONITORING SYSTEM AT THAT LOCATION; AND**

**3. GRANT THE MUNICIPAL CORPORATION 60 DAYS FROM THE DATE OF THE COUNTY’S NOTICE TO THE MUNICIPAL CORPORATION TO ENACT AN ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF THE COUNTY TO USE A SPEED MONITORING SYSTEM AT THAT LOCATION.**;

in line 11, strike “(II)” and substitute “(III)”; in line 13, strike “5 MONTHS” and substitute “30 DAYS”; in lines 17 and 28, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively.

On page 16, in line 25, after “CLEAR” insert “AND LEGIBLE”; and in the same line, after the first “THE” insert “ENTIRE”.

**AMENDMENT NO. 4**

On page 8, after line 25, insert:

**“(5) (I) THIS PARAGRAPH DOES NOT APPLY TO A SPEED MONITORING SYSTEM PLACED IN A SCHOOL ZONE.**

**(II) IF A SPEED MONITORING SYSTEM IS PLACED WITHIN 250 FEET AFTER THE LOCATION OF A SIGN DECREASING THE MAXIMUM SPEED LIMIT ON THE HIGHWAY, THE SPEED MONITORING SYSTEM SHALL BE CALIBRATED TO ONLY RECORD IMAGES OF MOTOR VEHICLES TRAVELING AT SPEEDS AT LEAST 10 MILES PER HOUR ABOVE THE POSTED SPEED LIMIT IN EFFECT BEFORE THE LOCATION OF THE SIGN.**

**AMENDMENT NO. 5**

On page 9, in lines 18 and 19, strike “EMPLOYEE OR agent of” and substitute “LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH”.

AMENDMENT NO. 6

On page 11, in line 4, after “violation;” insert “AND”; strike beginning with “SUBJECT” in line 6 down through “(IV)” in line 11; in line 23, after “violation;” insert “AND”; and strike beginning with “Provides” in line 24 down through “(iii)” in line 27.

On page 12, strike in their entirety lines 4 through 11, inclusive.

On page 21, in line 36, after “VIOLATION;” insert “AND”.

On page 22, strike beginning with “SUBJECT” in line 1 down through “(IV)” in line 6, inclusive; in line 19, after “VIOLATION;” insert “AND”; and strike beginning with “PROVIDES” in line 20 down through “(III)” in line 23.

On page 23, strike in their entirety lines 6 through 13, inclusive.

AMENDMENT NO. 7

On page 12, in line 28, strike “STATE AND”; in line 29, strike “OR UNITS”; in line 32, after “(j)” insert “(1) AN AGENCY OR AN AGENT OR CONTRACTOR DESIGNATED BY THE AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.”

(2)”;

and in line 33, strike “OR AN AGENCY”.

On page 24, in line 1, after “(J)” insert “THE DEPARTMENT OF STATE POLICE OR AN AGENT OR CONTRACTOR DESIGNATED BY THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.”

(K)”.

AMENDMENT NO. 8

On page 15, in line 17, strike “**OF**” and substitute “**THE COMPTROLLER SHALL DISTRIBUTE TO THE STATE HIGHWAY ADMINISTRATION REVENUE FROM**”; strike beginning with the comma in line 18 down through “**ADMINISTRATION**” in line 20 and substitute “**IN AN AMOUNT**”; and strike beginning with “**;AND**” in line 22 down through “**STATE**” in line 24.

AMENDMENT NO. 9

On page 16, in line 28, strike “**AND**”.

On page 17, in line 2, after “**POLICE**” insert “**;AND**”

**(III) THE MARYLAND TRANSIT ADMINISTRATION POLICE**”;

in lines 16 and 17, strike “**A POLICE OFFICER**” and substitute “**AN INDIVIDUAL**”; in line 18, after “**SYSTEM**” insert “**AND WHO IS:**”

**(I) A POLICE OFFICER;**

**(II) A REPRESENTATIVE OF A LOCAL POLICE DEPARTMENT;**

**(III) A REPRESENTATIVE OF A STATE POLICE DEPARTMENT;**

**OR**

**(IV) A STATE HIGHWAY ADMINISTRATION CONTRACTOR**”;

and in line 25, after “**LIMIT**” insert “**, ESTABLISHED USING GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES,**”.

(Over)

AMENDMENT NO. 10

On page 18, in line 7, strike “**12**” and substitute “**10**”; and in line 3, strike “**WITHIN ONE-QUARTER OF A MILE**” and substitute “**AT A REASONABLE DISTANCE CONSISTENT WITH NATIONAL GUIDELINES**”.

AMENDMENT NO. 11

On page 19, after line 6, insert:

**“(7) THE PROCUREMENT OF A WORK ZONE SPEED CONTROL SYSTEM BY A UNIT OF STATE OR LOCAL GOVERNMENT SHALL BE CONDUCTED IN ACCORDANCE WITH THE COMPETITIVE SEALED BIDDING REQUIREMENTS OF § 13-103 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, EXCEPT THAT THE UNIT MAY NOT AWARD THE PROCUREMENT CONTRACT UNLESS THERE IS MORE THAN ONE BIDDER.”;**

and in line 15, strike “**\$40**” and substitute “**\$75**”.

AMENDMENT NO. 12

On page 19, in line 25, strike “**THE**” and substitute “**A**”; and in lines 25 and 26, strike “**OR STATE POLICE DEPARTMENT**” and substitute “**, STATE POLICE DEPARTMENT, OR POLICE DEPARTMENT CONTRACTOR**”.

AMENDMENT NO. 13

On page 25, after line 8, insert:

**“SECTION 3. AND BE IT FURTHER ENACTED, That:**

**(1) Beginning in fiscal year 2009 and each fiscal year thereafter, each local jurisdiction shall use the revenues generated from the enforcement of speed limit**

laws as authorized under this Act solely to increase local expenditures for related public safety purposes, including pedestrian safety programs; and

(2) Related public safety expenditures required under this Section shall be used to supplement and may not supplant existing local expenditures for the same purpose.”;

in lines 9, 13, 17, 21, and 24, strike “3.”, “4.”, “5.”, “6.”, and “7.”, respectively, and substitute “4.”, “5.”, “6.”, “7.”, and “8.”, respectively; in line 9, strike “12-month” and substitute “30-day”; in line 14, strike “or deploys” and substitute “, deploys, or operates”; after line 28, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That § 21-809(b)(1)(i), (iii), and (v) of the Transportation Article, as enacted by Section 1 of this Act, does not apply to speed monitoring systems installed and operated in Montgomery County before October 1, 2008.”;

and in line 29, strike “8.” and substitute “10.”.