

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 16-0706

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: July 18, 2016
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: August 8, 2016

AN ORDINANCE CONCERNING

Speed Monitoring or Control Systems – Corrective

FOR the purpose of adding a provision, newly required by State law, that imposes certain limits on the enforcement of a school zone speed monitoring system that has been moved to or placed at a new location; clarifying certain distinctions between a school zone speed monitoring system and a work zone speed control system; and conforming, correcting, and clarifying related language.

BY repealing and reordaining, with amendments
Article 31 - Transit and Traffic
Sections 33-1 through 33-5, to be under the renamed subtitle,
“Subtitle 33. Speed Monitoring or Control Systems”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 33. Speed Monitoring OR CONTROL Systems

§ 33-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 16-0706

1 (b) *Enabling Law.*

2 “Enabling Law” means:

3 (1) [For] FOR school zone speed monitoring systems, State Code Transportation
4 Article § 21-809; and

5 (2) [For] FOR work zone speed control systems, State Code Transportation Article
6 § 21-810.

7 (c) *Speed monitoring OR CONTROL system.*

8 “Speed monitoring OR CONTROL system” means, EXCEPT AS OTHERWISE SPECIFIED,
9 either or both:

10 (1) a school zone speed monitoring system established under State Code
11 Transportation Article § 21-809; and

12 (2) a work zone speed control system established under State Code Transportation
13 Article § 21-810.

14 **§ 33-2. Systems authorized.**

15 The use and enforcement of speed monitoring OR CONTROL systems in Baltimore City is
16 authorized.

17 **§ 33-3. Governing standards, etc.**

18 [A speed monitoring system] NEITHER A SCHOOL ZONE SPEED MONITORING SYSTEM NOR A
19 WORK ZONE SPEED CONTROL SYSTEM may [not] be used except in accordance with and
20 subject to the standards, procedures, requirements, limitations, and other provisions of:

21 (1) the State Enabling Law APPLICABLE TO THAT SYSTEM; and

22 (2) this subtitle and the rules and regulations adopted under this subtitle.

23 **§ 33-4. Enforcement.**

24 (A) *IN GENERAL.*

25 A violation recorded by a speed monitoring OR CONTROL system may be enforced as
26 provided in the State Enabling Law FOR THAT SYSTEM.

27 (B) *NEWLY MOVED OR PLACED SCHOOL ZONE SYSTEM.*

28 (1) THIS SUBSECTION APPLIES ONLY TO SCHOOL ZONE SPEED MONITORING SYSTEMS
29 ESTABLISHED UNDER STATE CODE TRANSPORTATION ARTICLE § 21-809.

30 (2) IF A SCHOOL ZONE SPEED MONITORING SYSTEM IS MOVED TO OR PLACED AT A
31 LOCATION WHERE A SCHOOL ZONE SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY

Council Bill 16-0706

1 BEEN MOVED TO OR PLACED AT, A CITATION FOR A VIOLATION RECORDED BY THAT
2 SYSTEM MAY NOT BE ISSUED:

3 (I) UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH THE STATE ENABLING
4 LAW; AND

5 (II) FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS
6 INSTALLED.

7 **§ 33-5. Rules and regulations.**

8 (a) *In general.*

9 The Department of Transportation and the Police Department may jointly develop and
10 adopt rules and regulations to govern the implementation and use of speed monitoring
11 OR CONTROL systems.

12 (b) *Coverage.*

13 These rules and regulations may, among other things, establish procedures and standards
14 for:

15 (1) the procurement of system devices;

16 (2) the employment or procurement of system operators;

17 (3) the placement and operation of system devices.

18 (c) *To be compliant with Enabling Law.*

19 All rules and regulations adopted under this section must be compliant with the
20 APPLICABLE State Enabling Law.

21 (d) *Filing with Legislative Reference.*

22 A copy of all rules and regulations adopted under this subtitle must be filed with the
23 Department of Legislative Reference before they take effect.

24 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
25 are not law and may not be considered to have been enacted as a part of this or any prior
26 Ordinance.

27 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
28 after the date it is enacted.

Council Bill 16-0706

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City