

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0342

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: June 1, 2009
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with an amendment
Council action: Adopted
Read second time: July 13, 2009

AN ORDINANCE CONCERNING

Speed Monitoring Systems – Establishment

FOR the purpose of authorizing the certain speed monitoring systems, in certain areas, and subject to certain standards, procedures, requirements, and limitations; authorizing certain civil penalties for violations; defining certain terms; requiring certain rules and regulations; mandating a certain period during which violations may be enforced only by the issuance of warnings; and providing for a special effective date.

By adding

Article 31 - Transit and Traffic
Section(s) 33-1 through 33-5, to be under the new subtitle,
“Subtitle 33. Speed Monitoring 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 Systems

§ 33-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ENABLING LAW.*

“ENABLING LAW” MEANS:

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.

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1 (1) FOR SCHOOL ZONE SPEED MONITORING SYSTEMS, STATE CODE TRANSPORTATION
2 ARTICLE § 21-809; AND

3 (2) FOR WORK ZONE SPEED CONTROL SYSTEMS, STATE CODE TRANSPORTATION
4 ARTICLE § 21-810.

5 (C) *SPEED MONITORING SYSTEM.*

6 “SPEED MONITORING SYSTEM” MEANS EITHER OR BOTH:

7 (1) A SCHOOL ZONE SPEED MONITORING SYSTEM ESTABLISHED UNDER STATE CODE
8 TRANSPORTATION ARTICLE § 21-809; AND

9 (2) A WORK ZONE SPEED CONTROL SYSTEM ESTABLISHED UNDER STATE CODE
10 TRANSPORTATION ARTICLE § 21-810.

11 **§ 33-2. SYSTEMS AUTHORIZED.**

12 THE USE AND ENFORCEMENT OF SPEED MONITORING SYSTEMS IN BALTIMORE CITY IS
13 AUTHORIZED.

14 **§ 33-3. GOVERNING STANDARDS, ETC.**

15 A SPEED MONITORING SYSTEM MAY NOT BE USED EXCEPT IN ACCORDANCE WITH AND SUBJECT
16 TO THE STANDARDS, PROCEDURES, REQUIREMENTS, LIMITATIONS, AND OTHER PROVISIONS OF:

17 (1) THE STATE ENABLING LAW; AND

18 (2) THIS SUBTITLE AND THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

19 **§ 33-4. ENFORCEMENT.**

20 A VIOLATION RECORDED BY A SPEED MONITORING SYSTEM MAY BE ENFORCED AS PROVIDED
21 IN THE STATE ENABLING LAW.

22 **§ 33-5. RULES AND REGULATIONS.**

23 (A) *IN GENERAL.*

24 THE DEPARTMENT OF TRANSPORTATION AND THE POLICE DEPARTMENT MAY JOINTLY
25 DEVELOP AND, ~~WITH THE APPROVAL OF THE BOARD OF ESTIMATES,~~ ADOPT RULES AND
26 REGULATIONS TO GOVERN THE IMPLEMENTATION AND USE OF SPEED MONITORING
27 SYSTEMS.

28 (B) *COVERAGE.*

29 THESE RULES AND REGULATIONS MAY, AMONG OTHER THINGS, ESTABLISH PROCEDURES
30 AND STANDARDS FOR:

31 (1) THE PROCUREMENT OF SYSTEM DEVICES;

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1 (2) THE EMPLOYMENT OR PROCUREMENT OF SYSTEM OPERATORS;

2 (3) THE PLACEMENT AND OPERATION OF SYSTEM DEVICES.

3 (C) *TO BE COMPLIANT WITH ENABLING LAW.*

4 ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE COMPLIANT WITH
5 THE STATE ENABLING LAW.

6 (D) *FILING WITH LEGISLATIVE REFERENCE.*

7 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MUST BE FILED
8 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

9 **SECTION 2. AND BE IT FURTHER ORDAINED, That:**

10 (a) for 30 days after the first school zone speed monitoring system is activated in the
11 City, a violation recorded by it or any other school zone speed monitoring system
12 may be enforced only by issuance of a warning; and

13 (b) for 30 days after the first work zone speed control system is activated in Baltimore
14 City, a violation recorded by it or any other work zone speed control system may be
15 enforced only by issuance of a warning.

16 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
17 are not law and may not be considered to have been enacted as a part of this or any prior
18 Ordinance.

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the later of
20 (i) the date this Ordinance is enacted or (ii) October 1, 2009.

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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