

**CITY OF BALTIMORE
COUNCIL BILL 16-0706
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Transportation, Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Speed Monitoring or Control Systems – Corrective**

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

8 BY repealing and reordaining, with amendments

9 Article 31 - Transit and Traffic

10 Sections 33-1 through 33-5, to be under the renamed subtitle,

11 “Subtitle 33. Speed Monitoring or Control Systems”

12 Baltimore City Code

13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 31. Transit and Traffic**

18 **Subtitle 33. Speed Monitoring OR CONTROL Systems**

19 **§ 33-1. Definitions.**

20 (a) *In general.*

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

22 (b) *Enabling Law.*

23 “Enabling Law” means:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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

3 (2) [For] FOR work zone speed control systems, State Code Transportation Article
4 § 21-810.

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

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

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

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

12 **§ 33-2. Systems authorized.**

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

15 **§ 33-3. Governing standards, etc.**

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

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

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

21 **§ 33-4. Enforcement.**

22 (A) *IN GENERAL.*

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

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

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

28 (2) IF A SCHOOL ZONE SPEED MONITORING SYSTEM IS MOVED TO OR PLACED AT A
29 LOCATION WHERE A SCHOOL ZONE SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY
30 BEEN MOVED TO OR PLACED AT, A CITATION FOR A VIOLATION RECORDED BY THAT
31 SYSTEM MAY NOT BE ISSUED:

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

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

5 **§ 33-5. Rules and regulations.**

6 (a) *In general.*

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

10 (b) *Coverage.*

11 These rules and regulations may, among other things, establish procedures and standards
12 for:

- 13 (1) the procurement of system devices;
14 (2) the employment or procurement of system operators;
15 (3) the placement and operation of system devices.

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

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

19 (d) *Filing with Legislative Reference.*

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

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

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