

MEMORANDUM

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Introduction:** Expedited Bill 7-10, Motor Vehicles and Traffic - Speed-monitoring systems

Expedited Bill 7-10, Motor Vehicles and Traffic - Speed-monitoring systems, sponsored by the Council President at the request of the County Executive, is scheduled to be introduced on March 2, 2010. A public hearing is tentatively scheduled for March 23 at 7:30 p.m.

Bill 7-10 would permit the County Executive, by Executive Order, to authorize the Police Department to deploy new fixed and mobile speed monitoring systems on streets in residential districts with a maximum posted speed limit of 35 miles per hour and in school zones.

The use of speed monitoring systems in Montgomery County was authorized by Chapter 15, Laws of Maryland 2006, codified at §21-809 of the Transportation Article of the Maryland Code. This law permitted Montgomery County and municipalities within the County that have police departments to operate speed monitoring systems on a highway in a residential district with a maximum posted speed of 35 miles per hour and in established school zones. By Chapter 500 of the Laws of Maryland 2009, the General Assembly amended §21-809 of the Transportation Article by prohibiting the operation of a speed monitoring system “unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.” This new law applies to any speed monitoring system the County activates after October 1, 2009.

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Expedited Bill No. 7-10
Concerning: Motor Vehicles and Traffic -
Speed-monitoring systems
Revised: February 16, 2010 Draft No. 2
Introduced: March 2, 2010
Expires: September 2, 2011
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. , Laws of Mont. Co.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: The Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) authorize the use of speed monitoring systems on certain highways under certain circumstances; and
- (2) generally regulate the use of speed monitoring systems in the County .

By adding

Montgomery County Code
Chapter 31, Motor Vehicles and Traffic
Section 31-9A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

LEGISLATIVE REQUEST REPORT

Expedited Bill 7-10

Motor Vehicles and Traffic - Speed-monitoring systems

DESCRIPTION: This Bill would permit the County Executive, by Executive Order, to authorize the Department of Police to deploy new fixed and mobile speed monitoring systems on streets in residential districts with a maximum posted speed limit of 35 miles per hour and in school zones.

PROBLEM: The use of speed monitoring systems in Montgomery County was authorized by Chapter 15, Laws of Maryland 2006, codified at § 21-809 of the Transportation Article of the Maryland Code. This law permitted Montgomery County and municipalities within the County that have police departments to operate speed monitoring systems on a highway in a residential district with a maximum posted speed of 35 miles per hour and in established school zones. By Chapter 500 of the Laws of Maryland 2009, the General Assembly amended § 21-809 of the Transportation Article by prohibiting the operation of a speed monitoring system “unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.” This new law applies to any speed monitoring system the County activates after October 1, 2009.

GOALS AND OBJECTIVES: To permit the County to continue to deploy speed monitoring systems on residential streets and in school zones within Montgomery County in accordance with State law.

COORDINATION: Department of Police, County Attorney’s Office

FISCAL IMPACT: None.

ECONOMIC IMPACT: None.

SOURCE OF INFORMATION: William A. Snoddy, Associate County Attorney, (240) 777-6722

APPLICATION WITHIN MUNICIPALITIES: Yes.

PENALTIES: None.

BILL



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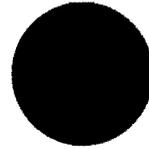
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OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

February 2, 2010



TO: Nancy Floreen, President
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Speed Camera Authorization

I am submitting for Council introduction a bill that would authorize Montgomery County to deploy new speed cameras on streets in residential districts with a maximum posted speed limit of 35 miles per hour and in school zones. I am also attaching a Legislative Request Report for the bill. The bill would allow the Montgomery County Police Department (MCPD) to deploy cameras at sites where cameras were not in operation before October 1, 2009, as required by legislation enacted by the Maryland General Assembly in 2009.

In 2006, the General Assembly enacted a law which authorized Montgomery County and municipalities within the County which have police departments to operate speed monitoring systems on streets in residential districts with a maximum posted speed of 35 miles per hour and in school zones. In 2009, the General Assembly enacted a law which extended this authority to other counties and municipalities in the State. However, the 2009 law prohibited any jurisdiction from operating a speed monitoring system "unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing." This requirement applies to any new speed camera deployed in the County after October 1, 2009.

I look forward to working with the Council to enact this bill.

cc: J. Thomas Manger, Chief, Department of Police
William Snoddy, Assistant County Attorney
Captain John Damskey, SOD Traffic Division
Kathleen Boucher, Assistant Chief Administrative Officer

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