

Bill No. 35-08
Concerning: Motor Vehicles and Traffic –
Miscellaneous Provisions – Funding
for Public Safety Programs
Revised: 11-14-08 Draft No. 10
Introduced: November 18, 2008
Expires: May 18, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council Vice-President Andrews, Council President Knapp, and Councilmembers Ervin,
Trachtenberg, and Floreen

AN ACT to:

- (1) dedicate any revenue generated from enforcement of traffic control signal monitoring systems and speed monitoring systems;
- (2) create a dedicated revenue source to fund emergency apparatus for the Fire and Rescue Service, pedestrian safety programs, and other public safety programs; and
- (3) generally amend the law regarding the use of any revenue generated from enforcement of certain traffic monitoring systems.

By adding

Montgomery County Code
Chapter 31, Motor Vehicles and Traffic
Section 31-70

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:

1 **Sec. 1. Section 31-70 is added as follows:**

2 **31-70. Funding for Public Safety Programs.**

3 (a) In this section the following terms have the meanings indicated:

4 Fire and Rescue Service means the Montgomery County Fire and
5 Rescue Service, including each local fire and rescue department.

6 Net revenue means revenue less the cost of operating a traffic signal
7 control and speed monitoring system.

8 Revenue means any civil penalty received by the County for a civil
9 citation issued for a violation of any traffic control signal or speed
10 monitoring system authorized by State law.

11 Speed monitoring system means a device authorized by Md. Code
12 Transportation Art. §21-809.

13 Traffic control signal monitoring system means a device authorized by
14 Md. Code Transportation Art. §21-202.1.

15 (b) The Council, in the annual capital or operating budget resolution or by
16 separate resolution, must allocate any net revenue to supplement County
17 expenditures on public safety programs as follows:

18 (1) 50% to buy emergency apparatus by the County for use by the
19 Fire and Rescue Service;

20 (2) 35% for pedestrian safety programs in the County's approved
21 capital or operating budget, allocated as follows:

22 (A) 75% for County programs; and

23 (B) 25% for pedestrian safety program grants to municipalities
24 in the County that have a traffic control signal monitoring
25 or a speed monitoring device in the municipality and do
26 not have a police department; and

27 (3) 15% for traffic safety programs in the approved capital or

28 operating budget for the Department of the Police.

29 (c) The County must not spend net revenue to supplant existing County
30 expenditures.

31 (d) The Council may appropriate any net revenue which exceeds the
32 amount necessary to fund the annual expenditures for a category in
33 subsection (b) to one of the other categories.

34 (e) The Chief Administrative Officer must report annually to the Council
35 on expenditures of net revenue.

36 *Approved:*

37

Michael J. Knapp, President, County Council Date

38 *Approved:*

39

Isiah Leggett, County Executive Date

40 *This is a correct copy of Council action.*

41

Linda M. Lauer, Clerk of the Council Date