

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Bill No. CB-073-2021

Chapter No. _____

Proposed and Presented by Council Members Davis and Dernoga

Introduced by Council Members Davis, Dernoga, Hawkins, Turner, Glaros, Harrison,
Taveras, Franklin, and Ivey

Co-Sponsors _____

Date of Introduction October 12, 2021

BILL

1 AN ACT concerning

2 Residential District Speed Monitoring Systems

3 For the purpose of authorizing the County to utilize certain residential district speed monitoring
 4 systems pursuant to the Transportation Article of the Annotated Code of Maryland; and
 5 generally relating to residential district speed monitoring systems.

6 BY repealing and reenacting without amendments:

7 SUBTITLE 16. VEHICLES AND TRAFFIC.

8 Section 26-114.01,

9 The Prince George's County Code

10 (2019 Edition; 2020 Supplement).

11 BY adding:

12 SUBTITLE 16. VEHICLES AND TRAFFIC.

13 Section 26-114.02,

14 The Prince George's County Code

15 (2019 Edition; 2020 Supplement).

16 WHEREAS, the Vision Zero Action Plan is the Prince George's County roadmap to
 17 achieving zero fatalities and serious injuries on our roadways by 2040. The Action Plan is
 18 data-driven and human-inspired.

19 WHEREAS, the success of Vision Zero depends on leaders throughout our community and
 20 every individual in doing their part to ensure that our transportation system and our driving

behavior is safe for all roadway users.

WHEREAS, speed kills. Higher vehicle speeds increase the likelihood of a pedestrian fatality when struck by a vehicle.

WHEREAS, this Speed Monitoring System bill is key to achieving zero fatalities and serious injuries in Prince George's County; now, therefore

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 26-114.01 of the Prince George's County Code be and the same is hereby repealed and reenacted without amendments:

SUBTITLE 26. VEHICLES AND TRAFFIC.

DIVISION 4. SPEED REGULATIONS.

Sec. 26-114.01. Authority to install and utilize speed monitoring systems.

(a) Pursuant to Section 21-809 of the Transportation Article of the Annotated Code of Maryland, as may be amended from time to time, Prince George's County is authorized to use Speed Monitoring Systems to regulate traffic.

(b) The Director, in conjunction with the Chief of Police, and the County Council is authorized to determine those locations where speed monitoring systems are to be installed.

(c) All speed monitoring systems shall conform to, and be used in accordance with, the requirements of the Transportation Article of the Annotated Code of Maryland.

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 26-114.02 of the Prince George's County Code be and the same is hereby added:

SUBTITLE 26. VEHICLES AND TRAFFIC.

DIVISION 4. SPEED REGULATIONS.

Sec. 26-114.02. Authority to install and utilize residential district speed monitoring systems.

(a) Pursuant to Section 21-809 of the Transportation Article of the Annotated Code of Maryland, as may be amended from time to time, Prince George's County is authorized to use Speed Monitoring Systems, as set forth in Section 26-114.01 of this Code and Residential District Speed Monitoring Systems as set forth in Section 26-114.02 of this Code to regulate traffic.

(b) "Residential district" means an area that: (1) Is not a business district; and (2) Adjoins and includes a highway where the property along the highway, for a distance of at least 300 feet, is

1 improved mainly with residences or residences and buildings used for business, pursuant to
 2 Section 21-101 of the Transportation Article of the Annotated Code of Maryland.

3 (c) Section 21-809 of the Transportation Article of the Annotated Code of Maryland applies to
 4 a violation of Subtitle 8, Speed Restrictions of the Transportation Article of the Annotated Code
 5 of Maryland, as applied in Prince George's County, recorded by a speed monitoring system that
 6 meets the requirements of Section 21-809 and has been placed in Prince George's County, on a
 7 highway in a residential district, as defined in Section 21-101 of the Transportation Article of the
 8 Annotated Code of Maryland, with a maximum posted speed limit of up to and including 35
 9 miles per hour, which speed limit was established using generally accepted traffic engineering
 10 practices.

11 (d) A [regional] residential district speed monitoring system may not be used in a local
 12 jurisdiction under Section 21-809 of the Transportation Article of the Annotated Code of
 13 Maryland unless its use is authorized by the governing body of the local jurisdiction by local law
 14 enacted after reasonable notice and a public hearing.

15 (e) The Director of the Department of Public Works and Transportation, in conjunction with the
 16 Chief of Police and the County Council is authorized to determine those locations where
 17 residential district speed monitoring systems are to be installed.

18 (f) All residential district speed monitoring systems shall conform to, and be used in accordance
 19 with, the requirements of the Transportation Article of the Annotated Code of Maryland.

20 SECTION 3. BE IT FURTHER ENACTED that prior to the installation of the first
 21 residential district speed monitoring system pursuant to this Section, the County Council shall
 22 hold at least one (1) public hearing to obtain public comment on potential locations for such
 23 residential district speed monitoring systems.

24 SECTION 4. BE IT FURTHER ENACTED that the Citizen Advisory Committee
 25 established by the Director of the Department of Public Works and Transportation, pursuant to
 26 CB-37-2009 (DR-2), is now amended and the Citizen Advisory Committee shall be comprised of
 27 the following: two (2) representatives from each Council District selected by the respective
 28 Councilmembers, two (2) representatives from each At-Large Council Member and three (3)
 29 representatives from the Office of the County Executive for a total of twenty-five (25) members
 30 to meet periodically for the purpose of obtaining additional public comment but not for decision-
 31 making.

SECTION 5. BE IT FURTHER ENACTED that for the first 30 days after the first residential district speed monitoring system is placed in the County pursuant to this Act, a violation recorded by any residential district speed monitoring system in the County may be enforced only by the issuance of a warning.

SECTION 6. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 7. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

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