

Introduced: Ms. Pope
1st Reading: March 24, 2025
Passed: April 14, 2025
Posted: April 15, 2025
Effective: April 14, 2025

ORDINANCE NUMBER 1402

AN ORDINANCE to amend the City of Greenbelt Code to authorize the operation of stop sign monitoring systems within the corporate limits of the City and to provide for certain areas as school zones, fines for violations and certain fees in connection therewith, and to provide for certain violations, fines, fees and other provisions pertaining to said systems.

WHEREAS, on May 9, 2024, the Governor of Maryland signed into law HB 364 authorizing, in designated school zones, the placement of stop sign monitoring systems in Prince George's County to be effective on July 1, 2024; and

WHEREAS, the Council of Greenbelt finds that failing to stop at designated stop signs is a major cause of accidents, injuries and death; and

WHEREAS, the Council further finds that traditional enforcement of stop sign violations in the vicinity of schools and school areas requires that law enforcement personnel enter traffic and stop a motorist in order to cite that motorist as a violator. Traffic volume and safety considerations limits the number of violators cited; and

WHEREAS, the Council further finds that automated speed monitoring system and red-light enforcement programs were previously created to increase safety for the motoring public as well as for residents, neighbors, school children, parents and visitors with the use of automated systems; and

WHEREAS, Title 21 of the Transportation Article of the Maryland Annotated Code (hereinafter, the "Code"), authorizes and empowers the Council to implement a stop sign monitoring system; and

WHEREAS, in furtherance of the public health, safety and welfare, the Council finds that it is in the best interest of the public health, safety and welfare of the citizens of the City to adopt and establish school zones and authorize the use of stop sign monitoring systems within school zones; and

WHEREAS, the Council requires that appropriate signage shall be erected in accordance with the manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration before activating an unmanned stationary stop sign monitoring system, if not already in place, at each School Zone and publish the location of the unmanned fixed or stationary stop sign monitoring system on the City's website, and in a newspaper of record, as required by law; and

WHEREAS, as prescribed by law, reasonable notice of the use shall be provided through advertisement in a newspaper of general circulation in Greenbelt the City's website at least thirty (30) days prior to the activation of the stop sign monitoring system in a School Zone or Residential District for the first time.

SECTION 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of Greenbelt, that the City of Greenbelt Code, as amended, as stated herein below are hereby, enacted, adopted, and amended to add a new Article VII, “AUTOMATED STOP SIGN ENFORCEMENT PROGRAM” to Chapter 11 such that said Code and the provisions of said Code shall henceforth read as follows:

ARTICLE VII. AUTOMATED STOP SIGN ENFORCEMENT PROGRAM

SEC. 11-86. SYSTEM AUTHORIZED.

THE COUNCIL APPROVES AND AUTHORIZES THE CITY OF GREENBELT TO USE STOP SIGN MONITORING ENFORCEMENT SYSTEMS IN WITHIN THE CITY OF GREENBELT.

SEC. 11-87. STOP SIGN MONITORING SYSTEMS IN SCHOOL ZONES.

A. THE CITY OF GREENBELT MAY USE STOP SIGN MONITORING SYSTEMS IN SCHOOL ZONES.

1. A “STOP MONITORING SYSTEM,” AS DEFINED IN MARYLAND LAW, MEANS A DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.

2. “VIOLATION,” AS DEFINED UNDER THE BILL, MEANS A FAILURE TO COME TO A COMPLETE STOP AT A STOP SIGN IN VIOLATION OF MARYLAND CODE, § 21-707 OF THE TRANSPORTATION ARTICLE. “VIOLATION” DOES NOT INCLUDE ANY ACTION TAKEN BY A DRIVER UNDER THE INSTRUCTION OF A POLICE OFFICER.

B. BEFORE BEGINNING THE USE OF STOP SIGN MONITORING SYSTEMS IN SCHOOL ZONES, THE CITY SHALL: PUBLISH NOTICE THAT THE CITY HAS ADOPTED THE USE OF TRAFFIC CONTROL DEVICE STOP SIGN MONITORING SYSTEM ON THE CITY WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY.

C. UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OR DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS RECORDED BY A STOP SIGN MONITORING SYSTEM DURING THE COMMISSION OF A VIOLATION.

D. THE CITY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION C OF THIS ORDINANCE A CITATION THAT SHALL INCLUDE:

1. THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE VEHICLE;
2. THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;
3. THE VIOLATION CHARGED;

4. THE DATE AND TIME OF THE VIOLATION;

5. TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION;

6. THE DATE AND TIME OF THE VIOLATION;

7. A COPY OF THE RECORDED IMAGE;

8. A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE CITY, THAT BASED ON THE REVIEW OF THE RECORDED IMAGE, THE MOTOR VEHICLE WAS BEING OPERATED DURING THE TIME OF THE VIOLATION.

9. A STATEMENT INDICATING THE RECORDED IMAGE IS EVIDENCE OF A VIOLATION; AND INFORMATION ADVISING THE FOLLOWING:

i. THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

ii. THAT FAILURE TO PAY THE CIVIL PENALTY OR CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

E. THE CITY MAY MAIL A WARNING NOTICE IN PLACE OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION C OF THIS ORDINANCE.

F. BEFORE THE CITY MAILES A CITATION TO A MOTOR VEHICLE RENTAL COMPANY, THE CITY SHALL MAIL A NOTICE TO THE RENTAL COMPANY INDICATING A CITATION WILL BE ISSUED WITHIN 45 DAYS AFTER RECEIPT OF THE NOTICE, UNLESS THE RENTAL COMPANY PROVIDES:

1. AN UNDER-OATH STATEMENT INDICATING THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTION AT THE TIME OF THE VIOLATION;

2. AN UNDER-OATH STATEMENT INDICATING THE VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION ALONG WITH THE POLICE REPORT ASSOCIATED WITH THE THEFT; OR

3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

G. THE CITY MAY NOT MAIL A CITATION TO A MOTOR VEHICLE RENTAL COMPANY IF THE COMPANY COMPLIED WITH SUBSECTION F OF THIS ORDINANCE.

H. THE CITATION MUST BE MAILED NO LATER THAN TWO WEEKS AFTER THE ALLEGED VIOLATION.

I. AN INDIVIDUAL WHO RECEIVES A CITATION UNDER SUBSECTION C OF THIS ORDINANCE MAY:

1. PAY THE FINE IN ACCORDANCE WITH INSTRUCTIONS ON THE CITATION; OR
2. ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

J. THE STOP SIGN MONITORING SYSTEM IN THE CITY SHALL BE CONDUCTED IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE MARYLAND VEHICLE LAW.

K. CITY STAFF IS HEREBY AUTHORIZED TO TAKE THOSE ACTIONS NECESSARY TO OBTAIN ANY REQUIRED PERMISSION FROM THE STATE OF MARYLAND OR OTHER GOVERNMENT WITH JURISDICTION TO OPERATE A STOP SIGN MONITORING SYSTEM IN SCHOOL ZONES.

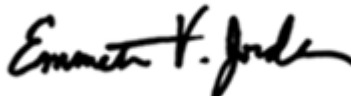
AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

INTRODUCED, by the Council of the City of Greenbelt, at a regular meeting on the 24th day of March, 2025.

ADOPTED, by the Council of the City of Greenbelt at a regular meeting on the 14th day of April, 2025.

EFFECTIVE, the 14th day of April, 2025.

By:



Emmett V. Jordan, Mayor

ATTEST:

Bonita Anderson

Bonita Anderson, City Clerk

KEY:

ALL CAPS indicate matter added to existing law.