

25-O-02

**ORDINANCE OF THE MAYOR AND COUNCIL OF
THE CITY OF COLLEGE PARK, AMENDING CHAPTER 184, "VEHICLES AND
TRAFFIC". BY ENACTING ARTICLE IX 'STOP SIGN MONITORING SYSTEMS
§184-46 SYSTEMS ON HIGHWAYS LOCATED IN A SCHOOL ZONE
MAINTAINED BY A LOCAL JURISDICTION AND SYSTEMS ON STATE
HIGHWAYS LOCATED IN A SCHOOL ZONE AS AUTHORIZED BY §21-707.1-OF
THE TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND**

WHEREAS, pursuant to §5-202 of the Local Government Article of the Annotated Code of Maryland, the City of College Park (hereinafter the "City") has the power to pass such ordinances as it deems necessary to protect the health, safety, and welfare of the residents of the City and to preserve peace and good order; and

WHEREAS, Maryland Code, Transportation Article, §21-707.1, as amended, authorizes the legislative body of each municipal corporation in Prince George's County to pass ordinances authorizing the use of stop sign monitoring systems in school zones providing that the driver of a motor vehicle recorded failing to obey a stop sign is subject to a citation and a certain civil penalty under certain circumstances.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland that Chapter 184 "Vehicles and Traffic", Article IX "Systems on highways located in a school zone maintained by a local jurisdiction and Systems on State highways located in a school zone" be and hereby established and added to the City Code to read as follows:

§184-46. STOP SIGN MONITORING SYSTEMS.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

CAPS	: Indicate matter added to existing law.
{Brackets}	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
{Brackets}	: Indicate matter deleted in amendment

1. "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SERVICES OR ITS CONTRACTOR.

2. (A) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF SIX (6) MONTHS OR MORE.

(B) "OWNER" DOES NOT INCLUDE:

(I) A MOTOR VEHICLE RENTAL OR LEASING COMPANY; OR

(II) A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED UNDER TRANSPORTATION ARTICLE TITLE 13. SUBTITLE 9. PART III.

3. "RECORDED IMAGE" MEANS IMAGES RECORDED BY A STOP SIGN MONITORING SYSTEM:

(A) ON:

(I) TWO OR MORE A PHOTOGRAPHS.

(II) TWO OR MORE A MICROPHOTOGRAPHS.

(III) TWO OR MORE ELECTRONIC IMAGES.

(IV) VIDEOTAPE. OR

(V) ANY OTHER MEDIUM; AND

(B) SHOWING A MOTOR VEHICLE AND, ON AT LEAST ONE IMAGE OR PORTION OF THE TAPE CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER OF THE MOTOR VEHICLE.

4. "STOP SIGN MONITORING SYSTEM" MEANS A DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.

5. (A) "VIOLATION" MEANS A FAILURE TO COME TO A COMPLETE STOP AT A STOP SIGN IN VIOLATION OF §21-707.1 OF

TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND.

(B) "VIOLATION" DOES NOT INCLUDE ANY ACTION A DRIVER IS INSTRUCTED TO TAKE BY A POLICE OFFICER.

(B) THE CITY IS AUTHORIZED TO OPERATE STOP SIGN MONITORING SYSTEMS THROUGH THE DEPARTMENT DESIGNATED BY THE CITY IN CONFORMANCE WITH 21-707.1 OF THE TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND.

1. ON HIGHWAYS LOCATED IN A SCHOOL ZONE MAINTAINED BY THE CITY IF AUTHORIZED BY THE CITY COUNCIL; AND

2. ON STATE HIGHWAYS LOCATED IN A SCHOOL ZONE IF AUTHORIZED BY THE STATE HIGHWAY ADMINISTRATION.

(C) BEFORE BEGINNING USE OF A STOP SIGN MONITORING SYSTEM, THE CITY SHALL PUBLISH NOTICE THAT IT HAS ADOPTED THE USE OF STOP SIGN MONITORING SYSTEMS ON THE CITY'S WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY.

(D) A RECORDED IMAGE UNDER THIS SECTION INDICATING THAT THE DRIVER OF A MOTOR VEHICLE HAS COMMITTED A VIOLATION SHALL INCLUDE:

1. THE TIME AND DATE OF THE VIOLATION; AND

2. TO THE EXTENT POSSIBLE. THE LOCATION OF THE VIOLATION.

(E) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION THE OWNER OF THE VEHICLE OR THE DRIVER OF A VEHICLE IF THE DISTRICT COURT FINDS THAT A PERSON OTHER THAN THE OWNER WAS DRIVING THE VEHICLE AT THE TIME OF THE CHARGED VIOLATION, IN ACCORDANCE WITH THE PROVISIONS OF TRANSPORTATION ARTICLE §27-707.1 (H)(3)-H(5), IS SUBJECT TO THE CIVIL PENALTY SET FORTH IN SUBSECTION (G) OF THIS SECTION IF THE MOTOR VEHICLE IS RECORDED BY A STOP SIGN MONITORING SYSTEM DURING THE COMMISSION OF A VIOLATION.

(F) 1. SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, THE CITY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION A CITATION THAT SHALL INCLUDE:

(A) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE VEHICLE;

(B) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;

(C) THE VIOLATION CHARGED;

(D) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION;

(E) THE DATE AND TIME OF THE VIOLATION;

(F) A COPY OF THE RECORDED IMAGE;

(G) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE BY WHICH THE CIVIL PENALTY MUST BE PAID;

(H) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE DEPARTMENT THAT, BASED ON THE INSPECTION OF THE RECORDED IMAGE, THE MOTOR VEHICLE WAS BEING OPERATED DURING THE COMMISSION OF A VIOLATION.

(I) A STATEMENT THAT THE RECORDED IMAGE IS EVIDENCE OF A VIOLATION; AND

(J) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION:

(I) OF 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 TO CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

2. THE DEPARTMENT MAY MAIL A WARNING NOTICE IN PLACE OF A CITATION TO AN OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION.

3. (A) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, THE DEPARTMENT SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS WITHIN 45 DAYS AFTER RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL COMPANY PROVIDES THE DEPARTMENT WITH:

(1) A STATEMENT MADE UNDER OATH THAT STATES THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED.

(2) (I) A STATEMENT MADE UNDER OATH THAT STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE WHO WAS DRIVING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

(II) A COPY OF THE POLICE REPORT ASSOCIATED WITH A MOTOR VEHICLE THEFT WHERE THE OWNER OF THE VEHICLE HAS CLAIMED THAT THE VEHICLE HAS BEEN STOLEN WHEN THE ALLEGED VIOLATION OCCURRED; OR

(III) PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

(B) THE DEPARTMENT MAY NOT MAIL A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPHS (A)(1) AND(A)(2) OF THIS PARAGRAPH.

4. EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION OR WHEN THE DISTRICT COURT FINDS, IN ACCORDANCE WITH THE PROVISIONS OF THE TRANSPORTATION ARTICLE. ANNOTATED CODE OF MARYLAND §27-707.1 (H) THAT A PERSON OTHER THAN THE VEHICLE OWNER WAS OPERATING THE VEHICLE AT THE TIME OF THE CHARGED VIOLATION, A CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NOT LATER THAN 2

WEEKS AFTER THE ALLEGED VIOLATION.

5. A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY:

(A) PAY THE CIVIL PENALTY IN ACCORDANCE WITH INSTRUCTIONS ON THE CITATION; OR

(B) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

(G) THE PENALTY FOR-A FAILING TO STOP AT A STOP SIGN IN THE CITY AS DETECTED BY THE CITY'S STOP SIGN MONITORING SYSTEM OF THIS SECTION SHALL BE \$40.00 OR THE MAXIMUM AMOUNT PERMITTED BY STATE LAW, WHICHEVER IS GREATER.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for ___ on the _ day of __, 2025, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it.

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that this Ordinance shall become effective on _____, 2025

provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 8th day of April 2025.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 13th day of May 2025.

EFFECTIVE the 3rd day of June 2025.

ATTEST:

CITY OF COLLEGE PARK

By: Yvette Allen
Yvette Allen CMC, City Clerk

By: F. Kabir
Fazlul Kabir, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Stephanie P. Anderson
Stephanie P. Anderson, City Attorney

