

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 04 STATE HIGHWAY ADMINISTRATION

Chapter 15 Work Zone Speed Control Systems

Authority: Transportation Article, §21-810(k), Annotated Code of Maryland

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Local police department" means:

- (a) The police department of any municipal corporation;
- (b) The police department of any county; and
- (c) The sheriff's department of any county that has highway traffic patrol responsibilities.

(2) "Owner" means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of 6 months or longer.

(3) "Recorded image" means an image recorded by a work zone speed control system:

(a) On:

- (i) A photograph;
- (ii) A microphotograph;
- (iii) An electronic image;
- (iv) Videotape; or
- (v) Any other medium; and

(b) Showing:

- (i) The rear of a motor vehicle;
- (ii) At least two timed-stamped images of the motor vehicle that include the same stationary object near the motor vehicle;

and

(iii) On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

(4) "State police department" means the Department of State Police and the Maryland Transportation Authority Police.

(5) "Work zone" means a segment of a highway:

(a) That is identified as a temporary traffic control zone by traffic control devices that are placed or installed in general conformance with the State manual and specifications adopted for a uniform system of traffic control devices; and

(b) Where highway construction, repair, maintenance, utility work, or related activity, including the placement, installation, maintenance, or removal of a work zone traffic control device, is being performed regardless of whether workers are present.

(6) "Work zone speed control system" means a device having one or more motor vehicle sensors connected to a camera system capable of producing recorded images of motor vehicles traveling at or above a predetermined speed in or approaching a work zone.

(7) "Work zone speed control system operator" means an individual who has been trained and certified to operate a work zone speed control system and who is:

- (a) A police officer;
- (b) A representative of a local police department;
- (c) A representative of a State police department; or
- (d) A State Highway Administration contractor.

.02 Authorization, Site Qualification, and Operator Selection.

A. A local police department or State police department may not deploy any work zone speed control system without the permission of the State or local agency that maintains the highway on which the work zone is to be located.

B. The State or local agency that maintains the highway is responsible for ensuring that any segment of highway on which a work zone speed control system is deployed satisfies the requirements of Transportation Article, §21-810(b)(1), Annotated Code of Maryland.

C. The locations and times when work zone speed control systems are to be deployed within a work zone shall be jointly agreed upon by the agency that maintains the highway and the local police department or the State police department that deploys the work zone speed control system.

D. The deploying local police department or State police department shall determine whether the work zone speed control operator is a police officer, a representative of the police department, or a representative of a Maryland State Highway Administration contractor, for each location where a work zone speed control system is to be operated.

.03 Public Notification and Advance Warning.

A. An agency that maintains a highway on which a work zone speed control system is deployed and the local police department or State police department that deploys a work zone speed control system may use Internet sites and other media to notify the public regarding:

- (1) The general use of work zone speed control systems; or
- (2) The segments of highways where and the dates and times when, work zone speed control systems may be deployed.

B. A minimum of two sets of signs approved by the State Highway Administration's Director of Traffic and Safety, alerting drivers to the possible operation of a work zone speed control system within the work zone, each set comprised of two signs, one on each side of the roadway, shall be conspicuously placed in advance of each work zone speed control system. The positioning and spacing of these signs shall be as approved by the agency that maintains the highway on which the work zone is located.

C. A device clearly displaying the speeds of vehicles approaching the device shall be placed sufficiently in advance of each work zone speed control system to enable an alert driver traveling at a speed not more than 25 miles per hour in excess of the speed limit to safely reduce the vehicle's speed to the legal limit prior to the location where the vehicle's speed will be measured by the work zone speed control system. The positioning of the device displaying the speeds of approaching vehicles shall be as approved by the agency that maintains the highway on which the work zone is located.

.04 Training, Logs, and Calibration.

A. Each local police department and State police department that deploys a work zone speed control system shall require that each of its operators complete all manufacturer's training required by Transportation Article, §21-810(b)(4), Annotated Code of Maryland, governing the set up, testing, and operation of the work zone speed control system. Each local police department and State police department that deploys a work zone speed control system shall maintain a registry and files documenting the training and certification of each of its certified work zone speed control system operators.

B. Each local police department and State police department that acquires a work zone speed control system shall:

- (1) Obtain the initial and annual independent calibrations required by Transportation Article, §21-810(b)(6), Annotated Code of Maryland; and
- (2) Maintain a file documenting the results of all calibration testing.

C. A work zone speed control system may not be used for enforcement purposes unless the agency deploying the system possesses the required initial and annual certificates from an independent laboratory that certifies that the system is properly calibrated.

D. A work zone speed control system operator shall complete the daily set-up log required by Transportation Article, §10-810(b)(5), Annotated Code of Maryland, that states:

- (1) The date and time when and the location where the system was set up; and
- (2) That the operator successfully performed, and the device passed, the manufacturer-specified self-tests before producing a recorded image.

E. The set-up log and these self-testing procedures under §D of this regulation shall be completed whenever the system is relocated and following each system start-up. A work zone speed control system may not be used for enforcement unless the operator has completed all required set-up logs, the system has passed all manufacturer-specified self-tests, and the system is operating properly.

F. A work zone speed control system may be used only to record the images of vehicles that are traveling at speeds at least 12 miles per hour above the posted speed limit in the work zone.

.05 Processing of Images and Citations.

A. Any local police department or State police department that deploys a work zone speed control system may utilize its civilian employees or contractor employees to perform an initial review of images for the purpose of eliminating those images upon which a citation will not be issued.

B. The statement in any citation required by Transportation Article, §21-810(d)(1), Annotated Code of Maryland, that based on inspection of recorded images the motor vehicle was being operated in violation of Transportation Article, Title 21, Subtitle 8, Annotated Code of Maryland, Speed Restrictions, shall be signed by a police officer employed by the local police department or State police department deploying the work zone speed control system.

C. The certification required by Transportation Article, §21-810(e)(1), Annotated Code of Maryland, alleging that based on inspection of recorded images produced by a work zone speed control system a violation Transportation Article, Title 21, Subtitle 8, Annotated Code of Maryland, Speed Restrictions, occurred and that the requirements of Transportation Article, §21-810(b), Annotated Code of

Maryland, have been satisfied, shall be sworn to or affirmed by a police officer employed by the local police department or State police department deploying the work zone speed control system.

D. The owner or co-owners of a vehicle shall be established from records maintained by or accessible from the Motor Vehicle Administration, based on the registration plate information captured on an image. A single citation may be issued in the names of all persons listed as co-owners of a co-owned vehicle.

E. A local police department or State police department may void any citations that are incorrectly issued without the need for the person to whom the citation was issued to stand trial in District Court.