

The Town of Upper Marlboro
Board of Commissioners

RESOLUTION: 2022-06

SESSION: Regular/Special Town Meeting

DATED: February 8, 2022

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS AUTHORIZING AND DESIGNATING CERTAIN TRAFFIC INTERSECTIONS TO BE LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO FOR THE DEPLOYMENT OF AND REGULATION BY AUTOMATED TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS

WHEREAS, pursuant to Title 21 of the Transportation Article of the Maryland Annotated Code (hereinafter, the “Maryland Code”), a “[t]raffic control signal monitoring system” means a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to produce recorded images of motor vehicles entering an intersection against a red signal indication; and

WHEREAS, pursuant to § 21-202(h) of said Article, vehicular traffic facing a steady circular red signal, or a steady red arrow signal shall stop at the near side of the intersection and remain stopped unless otherwise permitted by said Section to move through the intersection; and

WHEREAS, pursuant to § 21-202.1(d) of said Article, unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (g)(5) of said section, the driver of a motor vehicle is subject to a civil penalty not to exceed \$100 if the motor vehicle is recorded by a traffic control signal monitoring system while being operated in violation of § 21-202(h) of said Article; and

WHEREAS, further pursuant to § 21-202.1(d) of said Article, the Town of Upper Marlboro Police Department, as the law enforcement agency primarily responsible for traffic control at a particular intersection, or as the law enforcement agency of the political subdivision having control and jurisdiction of the traffic intersection, is authorized to operate a Traffic Control Signal Monitoring System at a particular intersection; and

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro previously approved Annexation Resolution No. 01-2021 on December 28, 2021, which, unless petitioned to referendum, will become effective as of February 11, 2022, to include within the corporate limits the two intersections at MD 725 at MD 202 (including up to three directional cameras) and MD 725 at MD 301 (including up to four directional cameras); and

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro previously approved Ordinance 2018-02 (Automated Traffic Enforcement) which was amended by Ordinance 2021-06; and

WHEREAS, Ordinance 2018-02 originally designed the intersections at Main and Water Streets, and Main Street and Gov. Oden Bowie Drive as red-light camera intersections; and

The Town of Upper Marlboro
Board of Commissioners

WHEREAS, Ordinance 2021-06 further authorized the Board to designate by resolution certain Red-Light Camera Intersections to be monitored and enforced using red-light camera technology; and

WHEREAS, the Board of Commissioners finds that failing to stop at red lights is a major cause of accidents, injuries and death; and

WHEREAS, the Board further finds that it will enhance the health, safety, and welfare of the Town's residents and the traveling public to designate the above two intersections to be monitored by Traffic Control Signal Monitoring Systems; and

WHEREAS, the Chief of Police has advised that Red Light Camera systems at the designated intersections herein will advance public safety and promote the health, safety and welfare of residents, pedestrians, and the motoring public.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Upper Marlboro, that the following traffic control signals located along public highways operated and maintained at intersections under the control of the State or the Town shall be permitted and authorized in accordance with regulations adopted by the State Highway Administration (Title 11, Chapter 14 of COMAR) to be monitored and enforced using Traffic Control Signal Monitoring Systems in accordance Ordinance 2018-02, as amended, and Section § 21-202.1. of the Transportation Article of Md. Ann. Code at the following locations:

- (i) the intersection at MD 725 (Marlboro Pike) at MD 202 (Largo Road), including up to three directional red-light cameras; and
- (ii) the intersection at MD 725 (Marlboro Pike) at MD 301 (Crain Highway), including up to four directional red-light cameras.

AND BE IT FURTHER RESOLVED that the Chief of Police in accordance with SHA Application Guideline No. 11-X10 (2018), as amended, is authorized to apply to obtain Maryland State Highway Administration (SHA) written approval to install, revise, maintain, repair and operate Red Light Cameras (RLC's) on SHA rights-of-way at approved locations.

AND BE IT FURTHER RESOLVED that this Resolution establishes, designates, and supersedes any previously designated Traffic Control Signal Monitoring System or RLC intersections located within the corporate limits of the Town of Upper Marlboro and any conflict between this Resolution and any previous ordinance or resolution regarding said monitoring systems and intersections shall be controlled by the provisions of this Resolution.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately following the effective date of Annexation Resolution 01-2021.

AND BE IT FURTHER RESOLVED that the President shall be authorized to sign this

**The Town of Upper Marlboro
Board of Commissioners**

Resolution on behalf of the Board.

INTRODUCED AND PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular or special meeting held on February 8, 2022.


ATTEST:


Clerk: John Hoatson

Date: February 8, 2022



THE TOWN OF UPPER MARLBORO


Sarah Franklin, President


Janice Duckett, Commissioner


Thomas Hanchett, Commissioner


Karen Lott, Commissioner

Vacant, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 8th day of February, 2022.


John Hoatson, Town Clerk