

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 1078 (Howard County Delegation)
Commerce and Government Matters

Howard County - Vehicle Laws - Traffic Control Signal Monitoring Systems

This bill authorizes law enforcement agencies in Howard County to issue a citation or warning based on evidence collected by a traffic control monitoring system and provides for a maximum civil penalty of \$100. The bill provides that such citations or warnings be issued to the owner of the motor vehicle. Such violations are not moving violations and may not be considered in regards to insurance coverage. The bill authorizes the owner of the vehicle to stand trial in District Court and outlines certain defenses that may be considered by the court. The bill provides that the District Court be notified by the county that the owner intends to stand trial. Trial penalties collected by the District Court will be forwarded to the county. In cases that are uncontested, penalties will be sent to the county directly by the owner of the motor vehicle. The bill further establishes penalties for nonpayment.

Fiscal Summary

State Effect: Indeterminate increase in special fund and general fund expenditures as discussed below. Minimal increase in general fund revenues as discussed below.

Local Effect: Revenues and expenditures could increase by an indeterminate amount as discussed below.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

Background: Howard County has implemented a pilot program of traffic control signal monitoring systems at two intersections intermittently since 1995. Each system costs approximately \$50,000. Each intersection results in approximately 1,200 warnings issued monthly to vehicle owners. Only warnings are authorized to be given under the program.

Current criminal traffic fines for failure to stop at a red light range from \$70 to \$120. In fiscal 1996, drivers were cited for over 1,000 red light violations in Howard County.

New York City has a traffic control signal monitoring system that has been in place since 1993. They currently have 18 cameras at various intersections, each costing approximately \$50,000. The tracking system costs \$5 million annually to operate. The city collects \$6 million in fines from the system each year. In the first year of operation, the city experienced a 20% reduction in red light violations at the intersections operating with the signal monitoring systems. New York is currently expanding the system to include 12 new cameras.

State Effect: The bill provides that those who are issued citations may elect to stand trial. While it cannot be accurately estimated how many additional cases would occur as a result of the bill, it is expected that the caseload for the District Court would increase beyond the current caseload. Additionally, the District Court would be responsible for forwarding fine revenue in contested cases to the county. This would increase the accounting costs for the District Court. Additional administrative costs may be incurred to the extent that vehicle owners prove that they were not the driver of the car at the time of the violation. It is assumed that the District Court would be responsible for then forwarding the citation to the correct driver. These expenditures would be offset by an increase in court costs. The bill provides that the District Court may charge court costs of \$20 in contested cases and \$2 in uncontested cases.

The Motor Vehicle Administration (MVA) advises that computer programming expenditures could increase by an estimated \$10,350 to program the changes proposed in this legislation. The Department of Fiscal Services (DFS) advises that if other legislation is passed requiring computer reprogramming changes, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the MVA system. Further, DFS advises that the increased computer expenditure is simply an estimate and the MVA may be able to handle the changes with either less money than it estimates or existing resources.

The State may incur additional expenditures from the Transportation Trust Fund to the extent that the State Highway Administration (SHA) and the State Police elect to install and operate traffic control monitoring devices in Howard County. Each system would cost approximately \$50,000. Additionally, the bill provides that a statement signed by a technician employed by the agency be submitted as part of the citation. The bill also requires that a certificate alleging the violation, sworn to by an agent of the agency, be submitted as evidence. The State Police may need additional personnel or additional training for existing personnel to fulfill these provisions of the bill. However, the Department of Fiscal Services believes that it

is unlikely that the State will install and operate the monitoring systems in Howard County since all fine revenues would be distributed to the county.

Local Effect: The bill provides that fines collected by the District Court or in uncontested cases be remitted to the county. Revenues could increase to the extent that the county utilizes the traffic control monitoring systems that it currently operates for citations and not just warnings, or installs and operates additional systems for citations. Given the experience of the pilot program, the revenue increase could be significant.

Expenditures would increase to the extent that the county elects to install and operate additional traffic control monitoring devices. Moreover, the bill provides that a statement signed by a technician employed by the county be submitted as part of the citation. The bill also requires that a certificate alleging the violation, sworn to by an agent of the county, be submitted as evidence. The county may need additional personnel or additional training for existing personnel to fulfill these provisions of the bill.

For illustrative purposes, the following assumptions are used to determine the net effect for the county for one traffic control monitoring system:

- 1,200 citations issued per month;
- \$1,000 per day, per camera operating cost (based on New York City experience, Howard County did not provide any information on operating costs);
- 80% conviction rate;
- 20% decrease in violations due to the deterrent effect; and
- Maximum fine of \$100 imposed.

Based on the above assumptions, total revenues would be \$921,600 and total operating costs would be \$365,000. This results in a net increase of \$556,600 in revenues per year for each camera.

Information Source(s): Department of Transportation (State Highway Administration, Motor Vehicle Administration), Judiciary (District Court), Howard County, Department of Fiscal Services

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