

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 187

(Prince George's County Delegation)

Environment and Transportation

Judicial Proceedings

Prince George's County – Speed Monitoring Systems – Maryland Route 210  
(Indian Head Highway) PG 305–19

This bill repeals a limitation on the location of speed monitoring systems (speed cameras) that may be placed on Maryland Route 210 (Indian Head Highway) in Prince George's County. The bill also increases (from one to three) the number of speed cameras that Prince George's County (and local jurisdictions within the county) may use on Indian Head Highway, presumably only until the existing authorization terminates September 30, 2023. Finally, the bill establishes a reporting requirement for the State Highway Administration (SHA) and the Prince George's County Department of Public Works and Transportation. **The bill takes effect June 1, 2019.**

**Fiscal Summary**

**State Effect:** Special fund revenues increase, potentially significantly, beginning in FY 2019 (likely for at most four and a third years). Special fund expenditures increase correspondingly for grants to crime victims. General fund revenues may increase minimally beginning as early as FY 2019 (likely for at most four and a third years) due to additional contested cases in District Court. SHA can likely handle the reporting requirement with existing resources.

**Local Effect:** Revenues for Prince George's County and local jurisdictions within the county increase beginning as early as FY 2019 (likely for at most four and a third years), to the extent that additional speed cameras are placed along the highway as authorized. Expenditures increase to cover costs associated with installing and maintaining additional cameras, with the balance remitted to the Comptroller as is done for the existing camera. The county can assist SHA with the reporting requirement with existing resources.

**Small Business Effect:** Potential minimal.

## Analysis

**Bill Summary/Current Law:** Under current law (Chapter 806 of 2018), Prince George's County is authorized to place *one* speed camera at the intersection of Old Fort Road and Indian Head Highway, subject to requirements that all nearby speed limit signs (1) comply with SHA specifications and (2) indicate that a speed monitoring system is in use. The camera may only record vehicles traveling in the southbound lane of the roadway. In addition, each sign indicating the use of a speed camera must be near a device that displays a real-time posting of the driver's speed. After cost recovery, fine revenues must be deposited into the Criminal Injuries Compensation Fund (CICF).

The bill repeals the requirement that only one speed camera may be placed at the intersection of Old Fort Road and Indian Head Highway and instead allows up to three speed cameras to be placed at *any* location on Indian Head Highway in Prince George's County. However, the bill leaves the signage requirements in place and continues to require any fine revenues remaining after cost recovery to be deposited into CICF.

Pursuant to current law, Prince George's County must report to the Governor and the General Assembly on specified information related to the use of the speed camera by January 1, 2023. The existing authorization terminates September 30, 2023.

The bill requires SHA (in conjunction with the Prince George's County Department of Public Works and Transportation) to (1) examine the engineering, infrastructure, and other relevant factors determined to contribute to the overabundance of motor vehicle accidents, injuries, and fatalities on Indian Head Highway and (2) report its findings and recommendations on the most effective solutions to address these issues to the Governor and General Assembly by May 31, 2021.

**Background:** A complete discussion of speed monitoring systems in the State can be found in the **Appendix – Automated Enforcement**.

### *Criminal Injuries Compensation Board and Fund*

The Criminal Injuries Compensation Board, within the Department of Public Safety and Correctional Services, awards grants to innocent victims of crime who incur financial hardship as a result of crime. Awards may be made for lost wages, medical expenses, counseling, crime scene clean-up, and funeral expenses for victims of homicide. Grants may not exceed \$45,000, including any subsequent and supplemental awards, with the exception of victims suffering permanent total disability. If a disability-related claim of \$25,000 has been awarded to the victim, and the injury to the victim resulted in permanent total disability, the victim may request an additional award of up to \$25,000. Funding for

these grants is generated by CICF from fees assessed by circuit and District courts. CICF is also supplemented by federal funds.

**State/Local Fiscal Effect:** The number of citations issued in Prince George's County due to the additional speed cameras is expected to increase, to the extent that one or two additional cameras are placed under the bill.

As a result, CICF revenues increase for up to four and a third years, potentially significantly, beginning as early as fiscal 2019. Although the increase in revenues cannot be reliably projected without additional data, *for illustrative purposes only*, if additional cameras were placed along the highway as authorized and captured 30 violations per day, CICF revenues could increase by as much as \$438,000 annually (assuming all violations were prepaid at \$40 each and all revenues were distributed to CICF). CICF expenditures are assumed to increase correspondingly for grants to crime victims.

In addition, the number of individuals opting for a trial in District Court is also likely to increase. Accordingly, general fund revenues may increase minimally, as fine revenues paid by individuals convicted in District Court are paid into the general fund. The increase in District Court caseloads is likely negligible and can be handled with existing resources.

Again, assuming the authorization is used, revenues retained by Prince George's County (and, potentially, municipalities within the county) may increase minimally in order to procure, install, and maintain the additional speed cameras. However, the bill does not authorize local jurisdictions under the bill to retain any additional monies after cost recovery.

Prince George's County advises that citation revenues received in the last three months of calendar 2018 from speed camera violations captured at the intersection of Old Fort Road and Indian Head Highway were minimal and not sufficient to cover operation costs. The bill allows the county to shift the placement of the existing camera, so long as it is still on Indian Head Highway, and add up to two more cameras on the highway. Therefore, the Department of Legislative Services advises that, based on multiple years of data, the long-term increase in revenues is likely to far exceed the increase in expenditures related to operation of the speed cameras.

SHA can likely handle the bill's reporting requirement with existing budgeted resources, but Transportation Trust Fund expenditures increase in fiscal 2020 and/or 2021 if engineering studies that would not otherwise be undertaken are necessitated for the report.

According to data from the Comptroller's Office, revenues generated from speed camera fines in Prince George's County have generally decreased as compliance has increased. While fiscal 2018 data is not yet available, in fiscal 2017, the county generated about

\$7.2 million in total fine revenues, compared to \$13.1 million in fiscal 2013. (These amounts are exclusive of local municipalities within Prince George’s County that operate their own speed monitoring systems.) In each year, the county has recovered its costs of implementation and had additional monies to spend on public safety. **Exhibit 1** summarizes revenues, implementation costs, and net revenues from fiscal 2013 through 2017.

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**Exhibit 1**  
**Revenues from Speed Monitoring Systems in Prince George’s County**  
**Fiscal 2013-2017**

	<u><b>Fine Revenues</b></u>	<u><b>Implementation Costs</b></u>	<u><b>Net Revenues</b></u>
Fiscal 2013	\$13,112,169	\$5,348,612	\$7,763,557
Fiscal 2014	10,254,966	4,681,911	5,573,055
Fiscal 2015	8,515,818	3,915,888	4,599,930
Fiscal 2016	8,759,276	4,274,963	4,484,313
Fiscal 2017	7,173,439	4,054,274	3,119,165

Source: Comptroller’s Office

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**Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Prince George’s County; Comptroller’s Office; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2019  
mm/ljm Third Reader - March 27, 2019  
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## Appendix – Automated Enforcement

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### *Speed Monitoring Systems*

Chapter 15 of 2006 authorized the first use of speed monitoring systems in the State, but it only applied to highways in school zones and residential districts in Montgomery County. Chapter 500 of 2009 expanded statewide the authorization for the use of speed monitoring systems in school zones and also authorized the use of work zone speed control systems. Chapter 474 of 2010 authorized the use of speed monitoring systems in Prince George's County on a highway located within the grounds of an institution of higher education or on nearby highways under certain circumstances. Chapter 806 of 2018 authorized Prince George's County to place one speed camera at the intersection of Old Fort Road and Maryland Route 210 (Indian Head Highway), subject to specified requirements.

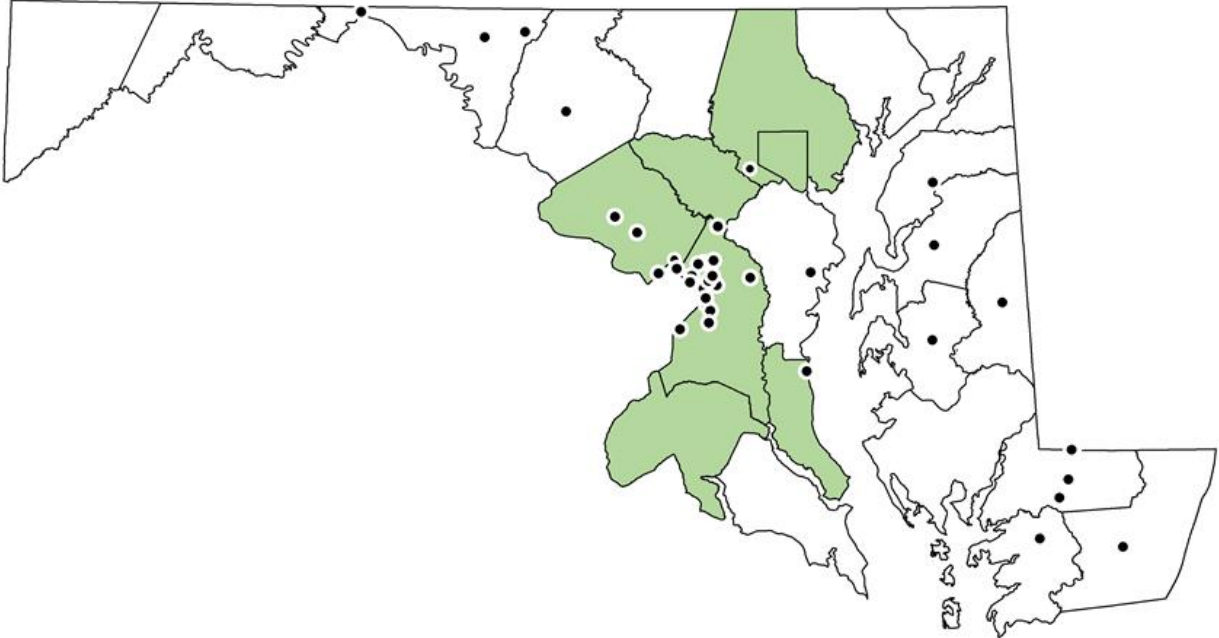
Unless the driver of a motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of the vehicle is subject to a civil penalty if the vehicle is recorded speeding at least 12 miles per hour above the posted speed limit by a speed monitoring system in violation of specified speed restrictions in the Maryland Vehicle Law. The maximum fine for a citation issued by a speed monitoring system operator is \$40. However, a local law enforcement or other designated agency operating the speed monitoring system may mail a warning notice instead of a citation.

A speed monitoring system may be placed in a school zone for operation between 6:00 a.m. and 8:00 p.m., Monday through Friday. Before a speed monitoring system may be used in a local jurisdiction, its use must be authorized by the governing body by ordinance or resolution adopted after reasonable notice and a public hearing, and its location must be published on the jurisdiction's website and in a newspaper of general circulation in the jurisdiction.

According to the Insurance Institute for Highway Safety (IIHS), 137 jurisdictions across the nation use speed cameras. In addition, Illinois, Maryland, and Oregon use speed cameras statewide in work zones. In Maryland, speed cameras are used in six counties and Baltimore City, 38 other jurisdictions, and by the State Highway Administration (SHA) on a statewide basis for work zones. **Exhibit 1** shows local speed camera usage across the State as of January 2019.

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**Exhibit 1**  
**Local Speed Monitoring System Enforcement in Maryland**  
**January 2019**



Note: ● represents municipal corporations that operate speed monitoring systems; ■ represents counties that operate speed monitoring systems. Speed cameras are also operated in highway work zones statewide.

Source: Insurance Institute for Highway Safety; Comptroller's Office; Department of Legislative Services

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From the fines generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. However, if the balance of revenues after cost recovery for any fiscal year is greater than 10% of the jurisdiction's total revenues, the excess must be remitted to the Comptroller. As shown in **Exhibit 2**, according to data from the Comptroller, as of January 2019, approximately \$226,800 was remitted in fiscal 2018, while no money was remitted in fiscal 2017 (with data pending for fiscal 2018 from Prince George's County only).

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**Exhibit 2**  
**Local Speed Monitoring Systems Data (Aggregated)**  
**Fiscal 2014-2018**

<u>Fiscal Year</u>	<u>Fine Revenues</u>	<u>System Costs</u>	<u>Net Revenues</u>	<u>Due to State</u>
2018*	\$56,855,016	\$27,262,388	\$29,615,707	\$226,822
2017	54,802,197	30,145,731	24,757,588	-
2016	57,198,345	31,637,019	25,208,963	-
2015	56,966,652	28,794,043	28,175,109	456,006
2014	53,842,875	32,978,310	20,864,564	-

\* As of January 2019; data pending for Prince George’s County.

Source: Comptroller’s Office; Department of Legislative Services

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Also, in fiscal 2018, the Comptroller reports that 46 (excluding Prince George’s County) local jurisdictions generated speed monitoring system fine revenues of about \$56.9 million, of which about \$30.0 million (52.7%) was retained by local jurisdictions for public safety programs after recovery of the costs of implementing the systems. Between fiscal 2017 and 2018, total fine revenues increased by approximately \$2.1 million while implementation expenditures decreased by \$2.9 million. Net revenues retained by local jurisdictions for public safety increased by approximately \$4.6 million between fiscal 2017 and 2018.

*Speed Monitoring System Reform – Chapter 491 of 2014*

The General Assembly passed House Bill 929 of 2014 (enacted as Chapter 491) in response to significant concerns from the public and media scrutiny of speed cameras in Baltimore City and several other jurisdictions. These concerns centered around two common criticisms of speed cameras: (1) that technical issues and insufficient review of recorded images resulted in erroneously generated citations; and (2) that the contracts with vendors were structured in such a manner as to establish an incentive to generate more citations and revenues, thereby casting doubt on the integrity or purpose of speed monitoring programs. Thus, Chapter 491 required jurisdictions to impose new restrictions and requirements on their contracts with speed monitoring vendors and established numerous additional requirements and restrictions pertaining to the issuance of citations, the calibration and self-testing of systems, the review of erroneous citations, and the use and placement of systems in school zones.

### *Automated Speed Enforcement Efficacy*

National and international studies of automated speed enforcement, as well as local program evaluations, provide some insight into the level of effectiveness of such enforcement mechanisms. According to IIHS, several studies have documented reductions in crashes in the vicinities of speed cameras, including crashes that result in an injury or fatality.

A 2015 study by IIHS of speed camera usage in Montgomery County, Maryland, showed long-term changes in driver behavior as well as reductions in injuries and deaths. Montgomery County introduced speed cameras in 2007, and an initial review of the program by IIHS six months into the program found that the percentage of vehicles going more than 10 miles per hour over the speed limit (which, at that time, was the enforcement threshold) declined by 70% on roads with speed cameras. The 2015 study showed a 59% reduction in the likelihood of a driver exceeding the speed limit by more than 10 miles per hour, compared with similar roads in Virginia without speed cameras. The same comparison showed a 19% reduction in the likelihood that a crash would involve a fatality or an incapacitating injury.

Data from the National Highway Traffic Safety Administration shows that there were 799 fatalities in highway work zones nationwide in 2017, including 14 in Maryland. The number of work zone fatalities in Maryland in 2017 was the highest number of fatalities since 2005. (Nationally, the number of work zone fatalities was the highest number since 2007). Nevertheless, on average, the number of work zone fatalities has declined significantly since the program's commencement. Between 2010 and 2017, work zone fatalities averaged 7.5 per year in Maryland, a reduction of about 39% from the eight-year average of 12.4 fatalities per year from 2002 through 2009.

Nationally, there was also a similar, but less significant, drop in work zone fatalities, with an approximately 30% reduction in the eight-year average between 2010 and 2017, as compared with the period from 2002 through 2009. Federal data also shows that work zone fatalities, *as a percentage of total traffic fatalities*, have dropped in Maryland, comparing averages from 2002 through 2009 to those from 2010 through 2017. Again, the reduction in Maryland is greater than the similar, but less significant, reduction nationally in terms of the percentage of traffic fatalities occurring in work zones.

### *Traffic Control Signal Monitoring Systems (Red Light Cameras)*

Unless the driver of a motor vehicle receives a citation from a police officer at the time of the violation, the owner or driver of a vehicle recorded by a red light monitoring system entering an intersection against a red signal in violation of the Maryland Vehicle Law is subject to a civil penalty of up to \$100. Red light camera enforcement applies to a violation



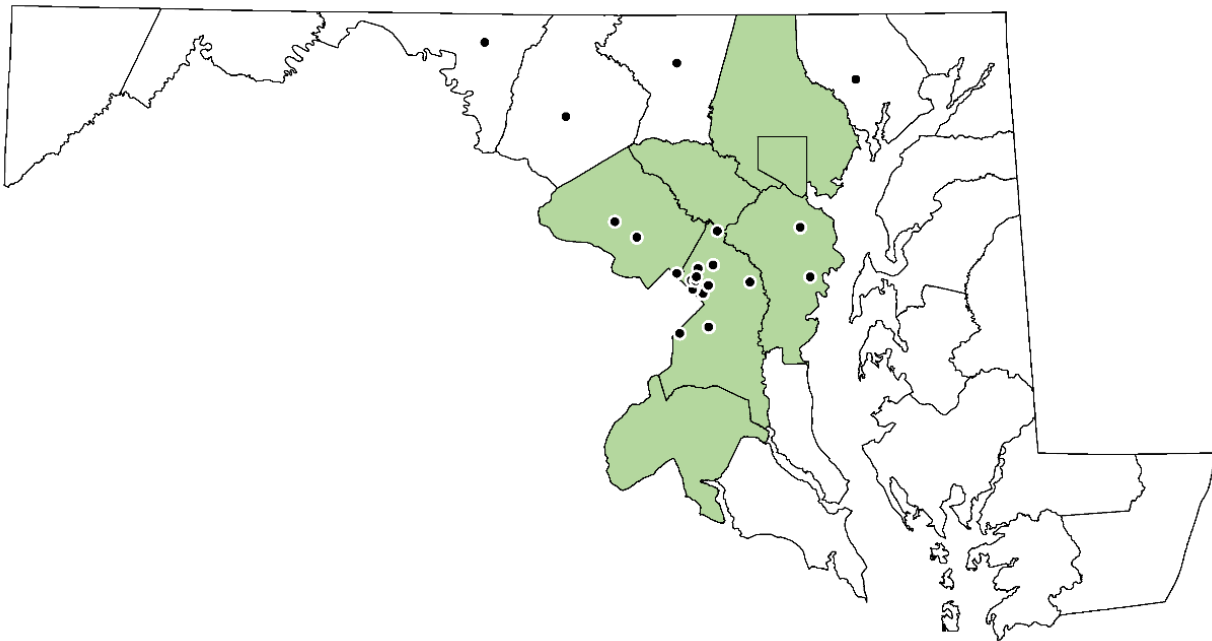
of specified Maryland Vehicle Law requirements applicable to a vehicle approaching a steady circular red signal or arrow, including (1) stopping at a clearly marked stop line, or crosswalk if there is no stop line, or intersection if there is no crosswalk and (2) remaining stopped until a signal allows the vehicle to proceed.

A driver is specifically authorized under the Maryland Vehicle Law to cautiously enter an intersection to make a right turn (or left turn from a one-way street to another one-way street) after stopping at a steady red light, unless a sign otherwise prohibits the turn.

According to IIHS, 390 jurisdictions across the nation have red light camera programs as of January 2019. In Maryland, six counties, Baltimore City, and 22 other jurisdictions use red light cameras. **Exhibit 3** shows red light camera usage across the State as of January 2019.

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**Exhibit 3**  
**Local Red Light Camera Enforcement in Maryland**  
**January 2019**



Note: ● represents municipal corporations that operate red light camera systems; ■ represents counties that operate red light camera systems.

Source: Insurance Institute for Highway Safety; Department of Legislative Services

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