

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 252 (Delegate McIntosh, *et al.*)
 Judiciary

Public Safety - Department of State Police - Primary Enforcement for Interstate
 83 (Jones Falls Expressway) in Baltimore City

This bill expands the responsibilities of the Department of State Police (DSP) to include providing primary traffic enforcement and emergency response on Interstate 83 (Jones Falls Expressway) in Baltimore City between Fayette Street and the city border with Baltimore County.

Fiscal Summary

State Effect: General fund expenditures for DSP increase by \$3.0 million in FY 2021. Future years reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	2,988,000	2,040,300	2,090,700	2,162,700	2,237,300
Net Effect	(\$2,988,000)	(\$2,040,300)	(\$2,090,700)	(\$2,162,700)	(\$2,237,300)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Baltimore City government finances are not materially affected. The bill's changes are not anticipated to affect the number of officers needed by the Baltimore Police Department (BPD).

Small Business Effect: None.

Analysis

Current Law: DSP has the general duty to safeguard the lives and safety of all persons in the State, to protect property, and to assist in securing to all persons the equal protection of

the laws. Among nine statutorily specified duties, DSP has the responsibility to detect and prevent the commission of crime, preserve order at public places, and maintain the safe and orderly flow of traffic on public streets and highways. In addition, DSP must perform any other duty that may be assigned by the General Assembly.

Generally throughout the State, DSP has the same powers, privileges, immunities, and defenses as sheriffs, constables, police officers, and other peace officers possessed at common law and may now or in the future exercise within their respective jurisdictions. DSP may execute an arrest warrant in any part of the State without further endorsement. However, DSP may not act within the limits of a municipality (including Baltimore City) that maintains a police force except under 13 specified circumstances, including when enforcing the motor vehicle laws of the State, except in Baltimore City where DSP can act only when enforcing Title 23 of the Transportation Article (which relates to vehicle inspections).

State Expenditures: General fund expenditures for DSP increase by \$2,988,023 in fiscal 2021, which accounts for the bill’s October 1, 2020 effective date. This estimate reflects the cost of hiring 20 troopers to provide primary traffic enforcement and emergency response on Interstate 83 in Baltimore City, as specified in the bill. It includes salaries, fringe benefits, one-time start-up costs (including the purchase of vehicles), and ongoing operating expenses. The information and assumptions used in calculating the estimate are stated below:

- DSP does not currently have jurisdiction within Baltimore City for traffic enforcement and emergency response – BPD does;
- BPD advises that I-83 within the city carries approximately 140,000 commuters daily. Between January 1, 2018, and December 1, 2019, there were 687 collisions reported along the affected section of I-83. Of these, 546 were property damage accidents, 137 involved an injured person, and 4 involved fatalities; and
- in order to provide continuous coverage for the required area, DSP needs 20 troopers who each require a vehicle to patrol the area.

Positions	20
Salaries and Fringe Benefits	\$1,582,178
Vehicle Purchases	1,298,520
Other Operating Expenses	<u>107,325</u>
Total FY 2021 State Expenditures	\$2,988,023

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses; they do not include any vehicle replacement costs.

This estimate does not include any potential overtime costs that may be incurred.
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Additional Comments: DSP has limited jurisdiction within Baltimore City. If DSP encounters other civil or criminal violations beyond traffic enforcement and emergency response while in Baltimore City, it is unclear if DSP can act or if DSP needs to request assistance from BPD. Regardless, this analysis assumes that BPD still maintains a presence in the affected area to perform other law enforcement duties.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Baltimore City; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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mm/lgc

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