

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 275 (Prince George's County Delegation)
Environment and Transportation

Judicial Proceedings

Prince George's County - Speed Monitoring Systems - Maryland Route 210
(Indian Head Highway)
PG 306-20

This bill requires fines collected by Prince George’s County as a result of violations enforced by speed monitoring systems (speed cameras) on Maryland Route 210 (Indian Head Highway) to be remitted to the Comptroller for distribution to the State Highway Administration (SHA). SHA must solely use those fine revenues to assist in covering the costs of (1) examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George’s County; (2) reporting its findings and recommendations on any solutions to these safety issues; and (3) implementing any solutions to these safety issues. As a result, the bill repeals the current requirement that such fine revenues be distributed to the Criminal Injuries Compensation Fund (CICF). **The bill takes effect June 1, 2020.**

Fiscal Summary

State Effect: CICF revenues and expenditures decrease minimally in FY 2020 and by a more significant amount beginning in FY 2021 (for another three and a quarter years), as discussed below. Transportation Trust Fund (TTF) revenues and expenditures increase correspondingly.

Local Effect: The bill does not materially affect Prince George’s County finances or operations. However, the county may benefit from increased spending on Indian Head Highway safety improvements.

Small Business Effect: None.

Analysis

Current Law: Chapter 806 of 2018 authorized Prince George's County, for five years, to place one speed camera at the intersection of Old Fort Road and Maryland Route 210, subject to specified requirements. Chapter 586 of 2019 repealed the limitation on the specific location of that speed camera and increased, to three, the number of speed cameras that may be placed on Indian Head Highway in the county (presumably only until the existing authorization terminates September 30, 2023).

After cost recovery, the fines collected by Prince George's County as a result of violations enforced by speed cameras on Maryland Route 210 are to be deposited into CICF. This distribution of fine revenues is unique to the speed cameras placed on Indian Head Highway; after cost recovery for other speed cameras in the county (and elsewhere in the State) from the fines collected, the jurisdiction may spend any remaining balance solely for public safety purposes, including pedestrian safety.

Prince George's County must report to the Governor and the General Assembly on specified information related to the use of the speed cameras placed on Indian Head Highway by January 1, 2023.

SHA (in conjunction with the Prince George's County Department of Public Works and Transportation) must (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**.

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. As shown in **Exhibit 1**, in fiscal 2019, the county generated about \$6.1 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 available to spend on public safety.

Exhibit 1
Revenues from Speed Monitoring Systems in Prince George’s County
Fiscal 2013-2019

	<u>Fine Revenues</u>	<u>Implementation Costs</u>	<u>Net Revenues</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
Fiscal 2018	6,894,036	4,132,890	2,761,147
Fiscal 2019	6,050,877	4,108,480	1,942,398

Source: Comptroller’s Office

Criminal Injuries Compensation Board and Fund

The Criminal Injuries Compensation Board, within the Victim Services Unit of the Governor’s Office of Crime Prevention, Youth, and Victim Services, is a remedial body designed to provide aid and assistance to victims of crime in Maryland. CICF is a special fund that provides financial assistance for innocent victims of crime. Awards may be made for lost wages, medical expenses, counseling, crime scene clean up (repairing, replacing, or cleaning property), and, for homicide victims, funeral expenses. The board may make an award only if the claimant, as a result of the injury on which the claim is based, has (1) incurred at least \$100 in unreimbursed and unreimbursable expenses or indebtedness reasonably incurred or claimed for specified necessary expenses or (2) lost at least \$100 in earnings or support. Compensation awarded from the fund may not exceed specified limitations as set forth in statutory provisions. Funding for awards is primarily from fees assessed by circuit and District courts. CICF is also supplemented by federal funds.

State/Local Fiscal Effect: The Comptroller’s Office reports that no revenues were remitted to CICF in fiscal 2019 as a result of speed camera violations on Indian Head Highway. However, Prince George’s County advises that, to date, three speed cameras on Indian Head Highway have generated net revenues of \$171,419 (*i.e.*, after accounting for expenses for the vendor and local law enforcement). These cameras were installed in August 2019 (approximately one month into fiscal 2020). Assuming current violation rates continue, the speed cameras should generate about \$269,400 for fiscal 2020. In subsequent years, the amount may increase to about \$293,900 (accounting for one additional month of revenues). However, as noted in the appendix, speed camera deployment typically causes behavioral changes in drivers, resulting in fewer speeding violations. Thus, revenues for these cameras may diminish over time.

The bill repeals the requirement that net revenues from speed cameras on Indian Head Highway be deposited into CICF; instead, those revenues are directed to SHA. Therefore, under the assumptions above, CICF revenues (and, as a result, expenditures for awards to crime victims) may decrease by about \$24,500 in fiscal 2020. (Because the bill takes effect June 1, 2020, this analysis reflects only one month of speed camera revenues being affected by the bill in fiscal 2020.) In subsequent years, CICF revenues could decrease by as much as \$293,900 under the above assumptions.

TTF revenues and expenditures increase correspondingly. Prior estimates have assumed that SHA could handle additional study requirements with existing resources. Therefore, any additional TTF revenues received as a result of the bill are assumed to be used only for implementing solutions to any identified safety issues on Indian Head Highway.

Pursuant to Chapter 806 of 2018, the authority for the use of speed cameras on Indian Head Highway is assumed to terminate September 30, 2023 (fiscal 2024).

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Prince George's County; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2020
mr/ljm Third Reader - March 16, 2020

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Appendix – Automated Enforcement

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. Since that time, the General Assembly has expanded the authorization several times.

- 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. Chapter 586 of 2019 repealed the limitation on the location of speed cameras that may be placed on Indian Head Highway and increased (to three) the number of speed cameras that the county (and local jurisdictions within the county) may use on the highway (presumably only until the existing authorization terminates September 30, 2023).

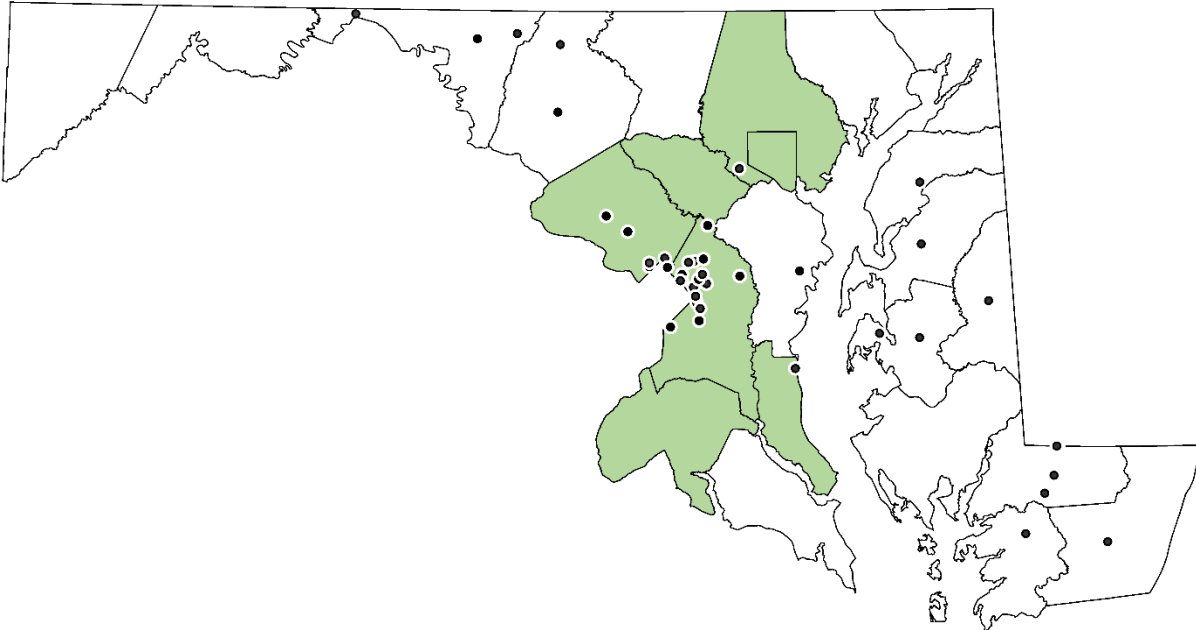
Unless the driver of a motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of the vehicle is subject to a civil penalty if the vehicle is recorded speeding at least 12 miles per hour above the posted speed limit by a speed monitoring system in violation 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), approximately 150 jurisdictions across the nation use speed cameras. In Maryland, speed cameras are used

in six counties and Baltimore City, 40 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 2020.

Exhibit 1
Local Speed Monitoring System Enforcement in Maryland
January 2020



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

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 2020, approximately \$204,100 was remitted in fiscal 2019 (with data pending for the City of Seat Pleasant only), while \$226,800 was remitted in fiscal 2018.

Exhibit 2
Local Speed Monitoring Systems Data (Aggregated)
Fiscal 2014-2019

<u>Fiscal Year</u>	<u>Fine Revenues</u>	<u>System Costs</u>	<u>Net Revenues</u>	<u>Due to State</u>
2019*	\$60,258,673	\$32,846,505	\$27,412,488	\$204,144
2018	63,749,052	31,395,278	32,376,854	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 2020; data pending for City of Seat Pleasant.

Source: Comptroller's Office; Department of Legislative Services

Also, in fiscal 2019, the Comptroller reports that 47 (excluding the City of Seat Pleasant) local jurisdictions generated speed monitoring system fine revenues of about \$60.3 million, of which about \$27.4 million (45.5%) was retained by local jurisdictions for public safety programs after recovery of the costs of implementing the systems. Between fiscal 2018 and 2019, total fine revenues decreased by approximately \$3.5 million while implementation expenditures increased by about \$1.5 million. Net revenues retained by local jurisdictions for public safety decreased by approximately \$5.0 million between fiscal 2018 and 2019.

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 Work Zone Safety Information Clearinghouse shows that there were 754 fatalities in highway work zones nationwide in 2018, including 10 in Maryland. The number of work zone fatalities in Maryland in 2018 decreased by four compared to 2017. Nationally, the number of work zone fatalities decreased by about 55 compared to 2017.

Traffic Control Signal Monitoring Systems (Red Light Cameras)

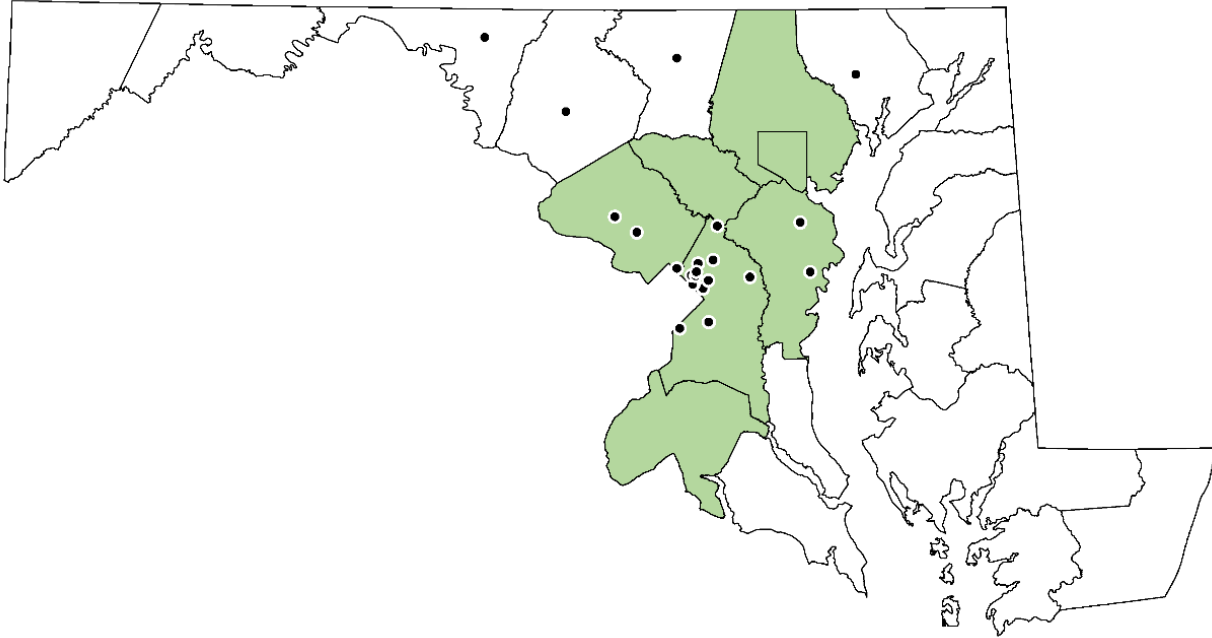
Unless the driver of a motor vehicle receives a citation from a police officer at the time of the violation, the owner or driver of a vehicle recorded by a red light monitoring system entering an intersection against a red signal in violation of the Maryland Vehicle Law is subject to a civil penalty 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, approximately 340 jurisdictions across the nation have red light camera programs as of January 2020. 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 2020.

Exhibit 3
Local Red Light Camera Enforcement in Maryland
January 2020



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
