

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 628 (Prince George's County Delegation)
Environment and Transportation

Prince George's County - Speeding Violations on Maryland Route 210 (Indian
Head Highway) - Fines
PG 301-21

This bill increases fines for speeding on Maryland Route 210 (Indian Head Highway) in Prince George's County.

Fiscal Summary

State Effect: General fund revenues likely increase beginning in FY 2022, as discussed below. Enforcement and adjudication generally can be handled with existing resources, but operational impacts (and potentially additional costs) are expected, as discussed below.

Local Effect: Enforcement in the field can be handled with existing resources, but additional court appearances for law enforcement officers have operational, and potentially fiscal, impacts. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: A person who is convicted of exceeding the speed limit is guilty of a misdemeanor and subject to a maximum fine of \$500. **Exhibit 1** shows the tiered prepayment penalties established by the District Court for exceeding a specified posted speed limit. The bill establishes higher fines for individuals convicted of speeding on Maryland Route 210. The fine levels established by the bill are also shown in Exhibit 1.

Exhibit 1
Penalties for Exceeding Posted Speed Limits
Under Current Law and the Bill
Maryland Route 210 (Indian Head Highway)

Exceeding Posted Speed Limit by:	No Accident			If Contributes to an Accident		
	<u>Prepayment Penalty*</u>	<u>Maximum Current Law</u>	<u>Fine under the Bill**</u>	<u>Prepayment Penalty*</u>	<u>Maximum Current Law</u>	<u>Fine under the Bill**</u>
1-9 miles per hour	\$80		\$530	\$120		\$570
10-19 miles per hour	90		540	130		580
20-29 miles per hour	160	\$500	610	200	\$500	650
30-39 miles per hour	290		740	290		780
40+ miles per hour	530		980	530		1,020

*The prepayment penalties shown are the amounts set by the District Court as of October 2020; the prepayment penalty allows a defendant to satisfy a traffic citation by admitting guilt and paying a fine without having to appear in court. The prepayment penalty includes court costs; the maximum statutory penalty does not include court costs.

**The bill requires a person convicted of exceeding the speed limit by the specified threshold to pay a penalty *equal* to the amount shown. The prepayment penalty is assumed to be set at that same amount for each violation.

Note: The speeding offenses listed have a maximum statutory penalty of \$500, although court costs may be added to that amount.

Source: District Court of Maryland; Department of Legislative Services

State Revenues: Under the bill, a person convicted of speeding on Maryland Route 210 is subject to a significantly higher fine than under current law. Prince George’s County advises that, in calendar 2019, approximately 9,800 speeding citations were issued on Maryland Route 210; the number of speeding citations declined to about 3,600 in calendar 2020 due, at least in part, to the COVID-19 pandemic and the related decrease in traffic.

The Judiciary advises that an individual cited for speeding on Maryland Route 210 under the bill’s changes would have the option to (1) prepay the fine at the relevant amount specified in the bill; (2) request a payment plan; (3) request a waiver hearing; or (4) request a trial. As a result of the increased fine levels, most individuals cited for speeding on Maryland Route 210 are expected to request a trial.

The exact impact on general fund revenues depends on the number of guilty dispositions in court, which cannot be reliably determined at this time, and can only be determined with actual experience under the bill. Additional factors may also affect overall citation volume, such as changes in driving behavior as drivers become aware of the new penalties for speeding under the bill. Despite these factors, because the fine amounts are considerably higher than those under current law, general fund revenues are expected to increase – even assuming a relatively low conviction rate.

State/Local Expenditures: Enforcement in the field can be handled with existing resources; however, given the number of additional trials for speeding expected under the bill, the Department of Legislative Services advises that the bill has operational, and potentially fiscal, impacts on law enforcement agencies. Relevant factors include the need to coordinate schedules for officers required to appear in court for trial, ensuring coverage in the field for officers who have to attend court under the bill, and overtime pay for officers due to court appearances under the bill.

The Judiciary advises that, despite an increase in the number of traffic court trials under the bill, the District Court can generally handle the increase with existing budgeted resources; nevertheless, the bill may have a more significant operational impact on the Prince George’s County District Court, depending on the portion of individuals cited who choose to request a trial. Many of the individuals cited may also choose to request a payment plan. The fine threshold required to enter into a payment plan is \$150; the bill’s fine amounts are significantly higher than that threshold. To the extent that more payment plans are requested, court operations may be further affected, as payment plans are handled manually.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

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rh/ljm

Analysis by: Eric F. Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510