

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 761

(Montgomery County Delegation)

Environment and Transportation

Judicial Proceedings

Montgomery County - School Bus Monitoring Cameras - Distribution of Fines
MC 6-24

This bill requires the fines collected by Montgomery County as a result of violations enforced by school bus monitoring cameras on State highways to be remitted to the Comptroller for distribution to the State Highway Administration (SHA) to be used only to assist in covering the costs of roadway and pedestrian safety improvements at locations in the county along State highways where students (1) board or exit a school bus or (2) travel to or from a destination at which they board or exist a school bus (not including expressways). Montgomery County may continue to recover its costs pursuant to current statutory provisions. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues and expenditures increase – likely by more than \$1.0 million – beginning in FY 2025, as discussed below.

Local Effect: Although total revenues and expenditures for Montgomery County are assumed to be unchanged; beginning in FY 2025, after cost recovery, expenditures are redirected to TTF for roadway and pedestrian safety improvements.

Small Business Effect: None.

Analysis

Current Law:

Duty to Stop

If a school vehicle stops on a roadway and is operating alternately flashing red lights, the driver of any other vehicle meeting or overtaking the school vehicle must stop at least

20 feet from the rear of the school vehicle, if approaching from its rear, or at least 20 feet from the front of the school vehicle, if approaching the school vehicle from its front.

The driver of any vehicle meeting or overtaking the school bus may not proceed until the school vehicle resumes motion or the alternately flashing red lights are deactivated. The requirement does not apply to the driver of a vehicle on a divided highway, if the school vehicle is on a different roadway.

A person convicted of a violation of either of these requirements is subject to a fine of up to \$1,000. The prepayment penalty for either violation is \$570, with three points assessed against the individual's driver's license.

School Bus Monitoring Cameras

Local jurisdictions may use school bus monitoring camera systems if expressly authorized by the governing body. If authorized, a law enforcement agency, in consultation with the local board of education, may place school bus monitoring cameras on school buses in the county. A recorded image indicating a violation must include (1) an image of the motor vehicle; (2) an image of at least one of the motor vehicle's registration plates; (3) the time and date of the violation; and (4) to the extent possible, the location of the violation.

Unless the driver receives a citation from a police officer at the time of the violation, the owner of the vehicle is subject to a civil penalty if the vehicle is recorded by a school bus monitoring camera. (If the District Court finds that the person named in the citation – the owner – was not operating the vehicle at the time of the violation or receives evidence identifying the driver, the law enforcement agency may issue a citation to the operator of the vehicle instead.) The civil penalty may not exceed \$500. The District Court must prescribe a uniform citation form and a civil penalty that may be paid if the person chooses to prepay the civil penalty without appearing in District Court.

A law enforcement agency is authorized to mail a warning notice in place of a citation.

From the fines collected, a political subdivision may recover the costs of implementing and administering the school bus monitoring cameras and may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

State/Local Fiscal Effect: According to [Montgomery County](#), in fiscal 2023, Montgomery County's school bus monitoring system issued 52,066 citations, resulting in approximately \$13.0 million in citation revenues. The number of citations issued in fiscal 2022 was higher (59,614), indicating a downward trend in citations and related revenues over time.

Under the bill, Montgomery County must remit a portion of total revenues (*i.e.*, revenues from citations issued by school bus monitoring cameras on *State highways* in the county, after cost recovery) to SHA to assist in covering the costs of roadway and pedestrian safety improvements at specified locations. The exact amount of local citation revenues that may be transferred to SHA under the bill is unknown and depends on factors such as the volume of citations that may be issued in future years, whether the overall number of school bus cameras and the related number of stops remain constant, etc. However, Montgomery County anticipates that as much as \$2.0 million annually may be remitted to the Comptroller under the bill to be used for roadway and pedestrian safety improvements. To the extent that citation revenues continue to decrease as driver behavior changes, this amount likely decreases over time. Although the county benefits from the required roadway improvements made by SHA under the bill, local expenditures for other purposes are likely reduced or covered with other local funds.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Montgomery County; Comptroller's Office; Maryland Department of Transportation; Montgomery County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2024
km/ljm Third Reader - March 19, 2024
Revised - Amendment(s) - March 19, 2024

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