

Department of Legislative Services
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2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1116

(Howard County Delegation)

Environment and Transportation

Judicial Proceedings

Howard County - Illegal Dumping - Surveillance System Pilot Program
Ho. Co. 6-26

This bill expands application of existing statutory provisions (currently only applicable to Baltimore City) to authorize the Howard County Police Department or other department designated by the Howard County Executive to install surveillance systems at “dumping sites” and use surveillance images to enforce the State Illegal Dumping and Litter Control Law or local laws relating to the unlawful disposal of litter. The bill establishes procedures for issuing citations and collecting civil penalties for violations recorded by a surveillance system. Finally, the bill (1) alters provisions under the Public Information Act (PIA) to require a custodian of a surveillance image to allow employees or agents of the designated Howard County department to inspect surveillance images of illegal dumping in Howard County; (2) authorizes the designated Howard County department to publicly disseminate surveillance images of illegal dumping in Howard County as part of an investigation; and (3) makes other conforming and technical changes. **The bill takes effect July 1, 2026, and terminates June 30, 2031.**

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by \$10,300 in FY 2027 only for one-time computer programming. Beginning in FY 2028 at the earliest, Transportation Trust Fund expenditures for the State Highway Administration (SHA) decrease if the bill reduces littering and illegal dumping on State highways in Howard County, as discussed below. Otherwise, the bill is not expected to materially affect State finances or operations, including District Court caseloads.

Local Effect: Overall, Howard County revenues increase from illegal dumping fines once surveillance systems are operational, as discussed below. Howard County expenditures for litter removal may decrease if the bill reduces illegal dumping in Howard County or violators of illegal dumping laws reimburse the county for litter removal costs.

Small Business Effect: None.

Analysis

Bill Summary/Current Law:

Surveillance Systems: Section 10-112 of the Criminal Law Article *currently* authorizes the Baltimore City Department of Housing and Community Development (DHCD) or another department designated by the Mayor of Baltimore City to place surveillance systems at dumping sites and use surveillance images to enforce the State Illegal Dumping and Litter Control Law (discussed below) or local laws relating to the unlawful disposal of litter. A “dumping site” is a location in Baltimore City that is (1) owned by Baltimore City or the State and (2) identified by the department as property that has been repeatedly used for the disposal of litter in violation of State law or a local law or ordinance. The bill *adds* the Howard County Police Department or other department designated by the Howard County Executive to these provisions and makes conforming changes to account for dumping sites in Howard County.

A “surveillance system” is a collection of one or more cameras located at a dumping site that produces a surveillance image. A “surveillance image” means an image recorded by a surveillance system on a photograph, a micrograph, an electronic image, videotape, or any other medium showing (1) the front or rear of a motor vehicle, and, on at least one image or portion of the tape, clearly identifying the registration plate number of the motor vehicle and (2) an individual committing a violation of the State illegal dumping and litter control law or a local law or ordinance relating to the unlawful disposal of litter. The bill does not alter these provisions.

Enforcement/Penalties: Under current law, a person who violates the State Illegal Dumping and Litter Control Law (discussed below) or a local law or ordinance relating to the unlawful disposal of litter that occurs at a dumping site monitored by a surveillance system is subject to a civil penalty of up to \$1,000. Unless the person committing a violation received a citation from a police officer at the time of the violation, the owner of the vehicle used to commit the violation is subject to the civil penalty. The bill does not alter these provisions.

Under current law, the Baltimore City DHCD (or a designated department) must mail the owner a citation that includes the (1) name and address of the registered owner of the vehicle; (2) the registration number of the vehicle; (3) the violation charged; (4) the location where the violation occurred; (5) the date and time of the violation; (6) a copy of the surveillance image; (7) the amount of the civil penalty imposed and the date by it must be paid; and (8) other specified information. The citation must be mailed no later than

two weeks after the alleged violation occurred, except as specified. A person who receives a citation may pay the civil penalty directly to Baltimore City or elect to stand trial in the District Court for the alleged violation. The bill's alteration of the definition of "department" incorporates Howard County into these provisions; a person who receives a citation may pay the civil penalty directly to Howard County.

Under current law (and unchanged by the bill), the District Court may consider in defense of a violation the fact that the vehicle or its registration plates were stolen prior to the violation and that they were not in the possession of the owner at the time of the violation. Additionally, the District Court may consider in defense of a violation evidence that the person named in the citation was not the person in the surveillance image committing the violation.

Failure to pay the civil penalty or contest liability in a timely manner is an admission of liability; the Motor Vehicle Administration (MVA) is required to suspend and refuse to transfer the registration of a vehicle involved in a violation under these circumstances if it receives the appropriate notification or if the District Court notifies MVA that the alleged violator elected to stand trial and failed to appear in court. These provisions currently reflect Baltimore City's illegal dumping enforcement authority; the bill makes a conforming change to incorporate Howard County.

Inspections of Surveillance Images: Under current law, § 4-322 of the General Provisions Article, part of the PIA, generally requires a "custodian" of a "surveillance image," as defined in § 10-112 of the Criminal Law Article, to deny inspection of the surveillance image. However, a custodian must permit inspection of a surveillance image (1) by any person issued a citation under § 10-112 or by an attorney of record for the person or (2) by an employee or agent of the Baltimore City DHCD in an investigation or a proceeding relating to the imposition or indemnification from civil liability under § 10-112. Under the PIA, a "custodian" means (1) the official custodian or (2) any other authorized individual who has physical custody and control of a public record. The bill adds an employee or agent of the designated department in Howard County to these provisions.

Under current law, notwithstanding the general requirement that a custodian of a surveillance image deny inspection of the image, Baltimore City DHCD is authorized to publicly disseminate a surveillance image of illegal dumping in Baltimore City as part of an investigation. The bill adds the designated department in Howard County to this provision.

State Illegal Dumping and Litter Control Law – § 10-110 of the Criminal Law Article (unchanged by the bill)

Under § 10-110 of the Criminal Law Article, a person is prohibited from (1) disposing of litter on a highway or performing an act that violates the State Vehicle Laws regarding disposal of litter, glass, and other prohibited substances on highways or (2) disposing or causing or allowing the disposal of litter on public or private property unless authorized or the litter is placed into a proper receptacle.

An individual who violates § 10-110 is guilty of a misdemeanor and subject to the following penalties, depending on the weight or volume of the disposed litter:

- up to 100 pounds or 27 cubic feet (not for commercial gain) – imprisonment for up to 30 days and/or a \$1,500 maximum fine;
- more than 100 pounds or 27 cubic feet and up to 500 pounds or 216 cubic feet (not for commercial gain) – imprisonment for up to one year and/or a \$12,500 maximum fine; and
- more than 500 pounds or 216 cubic feet (not for commercial gain) or any amount for commercial gain – imprisonment for up to five years and/or a \$30,000 maximum fine.

The court may also require cleanup of the disposed litter, repair or restoration of damaged property, payment of damages for the disposal of the litter, community service, or reimbursement of the appropriate governmental entity for specified costs incurred. If the violator used a motor vehicle to commit the violation, the court must notify MVA; violations are subject to the assessment of points. MVA is required to suspend and refuse to transfer the registration of a vehicle involved in a violation if it receives the appropriate notification that a person cited for a violation failed to pay the fine or elect to stand trial or if the District Court notifies MVA that the cited person elected to stand trial and failed to appear in court.

Fines collected for violations of the State Illegal Dumping and Litter Control Law must be disbursed to the county or municipality where the violation occurred or, under specified circumstances, to the Maryland-National Capital Park and Planning Commission or the Washington Suburban Sanitary Commission. Disbursed fines must be used for specified litter-related purposes.

State Fiscal Effect: General fund expenditures for the Judiciary increase by \$10,267 for one-time computer programming to facilitate transfers of contested fines to Howard County. This estimate assumes these expenditures are incurred in fiscal 2027 in anticipation of deployment of a litter surveillance program in Howard County, whenever that occurs.

SHA litter removal costs may decrease should Howard County place surveillance cameras near State highways or if the bill has an overall deterrent effect on littering/illegal dumping

in the county, including on State highways. The placement of surveillance cameras under the bill is at the discretion of the county, and it is unclear at this time if any cameras will be placed near State highways.

SHA advises that it spent \$18.5 million in 2024 on routine litter removal and remediation of illegal dumping (disposal of larger, bulkier items); most of this work is accomplished through contracts. According to SHA, State highways are a common place for dumping and litter, especially in Howard County. Based on five State highway “hot spots” for litter/illegal dumping in the county, SHA estimates that its annual costs for litter removal may decrease by as much as \$250,000 per year. SHA assumes that cost savings under the bill will not commence until fiscal 2028 to allow time for Howard County to establish its litter surveillance program.

Local Fiscal Effect: Howard County did not respond to a request for information on the fiscal and operational impact of the bill. While Howard County may incur costs for initial set up of illegal dumping surveillance systems, this estimate assumes that county revenues from illegal dumping fines exceed those costs when cameras are operational. Information is not readily available on the extent of littering and illegal dumping in other areas of Howard County or the county’s timeline or plans for installation of surveillance cameras.

Additional Information

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

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Department of Legislative Services

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