

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 391 (Chairman, Commerce and Government Matters Committee, *et al.*)
Commerce and Government Matters Referred to Judicial Proceedings

Vehicle Laws - Traffic Control Signal Monitoring Systems

This enrolled bill authorizes local governments or a State agency to issue a citation or warning for running a red light based on evidence collected by a traffic control monitoring system and provides for a maximum civil penalty of \$100. The bill provides that such citations or warnings be issued to the owner of the motor vehicle. Such violations are not moving violations and may not be considered in regards to insurance coverage. The bill provides that only certain individuals, including the person named in the citation and/or the law enforcement officer, may have access to the images recorded by the monitoring system.

The bill authorizes the owner of the vehicle to stand trial in District Court and outlines certain defenses that may be considered by the court. The bill provides that the District Court be notified by either the State or the political subdivision that the owner intends to stand trial.

Trial penalties collected by the District Court will be forwarded to the general fund. In cases that are uncontested, penalties will be sent to the issuing agency or subdivision directly by the owner of the motor vehicle. The bill further establishes penalties for nonpayment.

Fiscal Summary

State Effect: General fund revenues and expenditures could increase by an indeterminate amount as discussed below. Special fund expenditures could increase by an indeterminate amount as discussed below.

Local Effect: Revenues and expenditures could increase by an indeterminate amount as discussed below.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

Background: New York City has a traffic control signal monitoring system that has been in place since 1993. They currently have 18 cameras at various intersections, each costing approximately \$50,000. The tracking system costs \$5 million annually to operate. The city collects \$6 million in fines from the system each year. In the first year of operation, the city experienced a 20% reduction in red light violations at the intersections operating with the signal monitoring systems. New York is currently expanding the system to include 12 new cameras.

Howard County has implemented a pilot program of traffic control signal monitoring systems at two intersections intermittently since 1995. Each intersection results in approximately 1,200 warnings issued monthly to vehicle owners. Only warnings are authorized to be given under the program.

In fiscal 1996, Maryland drivers were cited for over 37,000 various red light violations. Current criminal traffic fines for failure to stop at a red light range from \$70 to \$120. The State collects approximately \$3 million from the criminal fines annually. The District Court currently hears approximately 15,000 criminal cases per year for failure to stop at a red light.

State Effect: Under the provisions of the bill, uncontested fines are remitted to the agency which owns and operates the traffic control monitoring system and issues the citations. Therefore, general fund revenues and Transportation Trust Fund expenditures could increase to the extent that the State Highway Administration and the State Police elect to install and operate traffic control monitoring devices. Additional general fund revenues could be generated due to fines collected by the District Court in contested cases.

Each system would cost approximately \$50,000. Additionally, the bill provides that a statement signed by a technician employed by the agency be submitted as part of the citation. The bill also requires that a certificate alleging the violation, sworn to by an agent of the agency, be submitted as evidence. The State Police may need additional personnel or additional training for existing personnel to fulfill these provisions of the bill.

It is uncertain how many traffic control monitoring systems will be purchased and operated in the State or which intersections will be targeted. Therefore, for illustrative purposes only, the following assumptions are used to determine the net effect for the State for one system:

- 1,200 citations issued per month;
- \$1,000 per day, per camera operating cost (based on New York City experience, Howard County did not provide any information on operating costs);
- 80% conviction rate;
- 20% decrease in violations due to the deterrent effect; and
- Maximum fine of \$100 imposed.

Based on the above assumptions, total revenues would be \$921,600 and total operating costs would be \$365,000. This results in a net increase of \$556,600 in general fund revenues per year for each camera.

Additional general fund revenue would be collected from court costs. Court costs for contested citations are \$20. Uncontested cases carry a court cost of \$2.

The bill provides that those who are issued citations may elect to stand trial. While it cannot be accurately estimated how many additional cases would occur as a result of the bill, it is expected that the caseload for the District Court would increase beyond the current 15,000 cases. Additionally, the District Court would be responsible for prescribing a uniform citation form, the civil penalty amount, and procedures for the issuance of citations and the collection of penalties. These duties could be handled with the existing budgeted resources of the District Court. Additional administrative costs may be incurred to the extent that vehicle owners prove that they were not the driver of the car at the time of the violation. The District Court would be responsible for then forwarding this information to the issuing agency. The issuing agency may then send a citation to the correct driver. However, any increase in costs for the District Court should be offset by an increase in court costs.

The Motor Vehicle Administration (MVA) advises that computer programming expenditures could increase by an estimated \$10,350 to program the changes proposed in this legislation. The Department of Fiscal Services (DFS) advises that if other legislation is passed requiring computer reprogramming changes, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the MVA system. Further, DFS advises that the increased computer expenditure is simply an estimate and the MVA may be able to handle the changes with either less money than it estimates or existing resources.

Local Effect: The bill provides that fines collected in uncontested cases be remitted to the local jurisdiction or State agency issuing such citations. Thus, revenues could increase in those political subdivisions electing to install and operate traffic control monitoring devices. The amount of such revenues cannot be reliably estimated at this time, although based on the experience of Howard County's pilot program the revenues could be significant.

Additionally, local governments would receive \$2 per citation for uncontested cases.

Expenditures would increase to the extent that political subdivisions elect to install and operate traffic control monitoring devices. Each system would cost approximately \$50,000. The bill provides that a statement signed by a technician employed by the political subdivision be submitted as part of the citation. The bill also requires that a certificate alleging the violation, sworn to by an agent of the subdivision, be submitted as evidence. The subdivision may need additional personnel or additional training for existing personnel to fulfill these provisions of the bill. The above example of the effect of the system on State revenues and operating expenditures would also apply to the local subdivisions.

Information Source(s): Department of Transportation (Motor Vehicle Administration), Judiciary (District Court), Department of State Police, New York City Signals and Street Light Management Division, Carroll County, Queen Anne's County, Harford County, Baltimore City, Department of Fiscal Services

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Analysis by: Jody J. Minnich
Reviewed by: David Juppe

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 841-3710
(301) 858-3710