

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

House Bill 962 (Montgomery County Delegation)  
Commerce and Government Matters

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Montgomery County - Vehicle Laws - Traffic Control Signal Monitoring System -  
Owner Liability  
MC 730-97

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This bill authorizes a law enforcement agency in Montgomery County to issue a citation or warning 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 authorizes the owner of the vehicle to stand trial in District Court and outlines certain defenses that may be considered by the court. Fines collected by the District Court will be forwarded to the county. The bill further establishes penalties for nonpayment.

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Fiscal Summary

**State Effect:** Indeterminate increase in special fund and general fund expenditures as discussed below. Minimal increase in general fund revenue 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.

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Fiscal Analysis

**Background:** Howard County has implemented a pilot program of traffic control signal monitoring systems at two intersections intermittently since 1995. Each system costs approximately \$50,000. Each intersection results in approximately 1,200 warnings issued monthly to vehicle owners. Only warnings are authorized to be given under the program.

Current criminal traffic fines for failure to stop at a red light range from \$70 to \$120. In fiscal 1996, drivers were cited for over 7,000 red light violations in Montgomery County.

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.

**State Effect:** The bill provides that those who are issued citations may elect to stand trial. While it cannot be accurately estimated how many cases would occur as a result of the bill, it is expected that the caseload for the District Court would increase beyond the current caseload. Additionally, the District Court would be responsible for forwarding all contested and uncontested fine revenues to the county. This could be handled by the District Court in the same manner used for parking violations. Any increase in costs for the District Court should be offset by an increase in court costs. Court costs for contested citations are \$20. Uncontested cases carry a court cost of \$2.

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.

The State may incur additional expenditures from the Transportation Trust Fund to the extent that State Highway Administration (SHA) and the State Police elect to install and operate traffic control monitoring devices in Montgomery County. 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 State Police may need additional personnel or additional training for existing personnel to fulfill this provision of the bill. However, the Department of Fiscal Services believes that it is unlikely that the State will install and operate the monitoring systems in Montgomery County since all fine revenues would be distributed to the county.

**Local Effect:** The bill provides that fines collected by the District Court be remitted to the county. Thus, revenues could increase to the extent that the county elects to install and

operate traffic control monitoring devices. Given the experience of the Howard County pilot program, the revenue increase could be significant.

Expenditures would increase to the extent that the county elects to install and operate traffic control monitoring devices. Each system would cost approximately \$50,000. Additionally, the bill provides that a statement signed by a technician employed by the political subdivision be submitted as evidence. The subdivision may need additional personnel or additional training for existing personnel to fulfill this provision of the bill.

For illustrative purposes, the following assumptions are used to determine the net effect for the county for one traffic control monitoring 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 revenues per year for each camera.

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**Information Source(s):** Department of Transportation (State Highway Administration, Motor Vehicle Administration), Judiciary (District Court), Montgomery County, Department of Fiscal Services

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