

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

Senate Bill 293

(Senator Green, *et al.*)

Judicial Proceedings

Judiciary

Crosswalks - School Crossing Guards - Traffic Regulation

This bill authorizes a school crossing guard to signal, stop, or otherwise direct or regulate traffic in a crosswalk to permit the safe crossing of pedestrians through the crosswalk. The bill also requires a school crossing guard to be an employee of a county or local law enforcement agency and directs each county or local law enforcement agency to establish a training program and provide an appropriate uniform for the crossing guards.

The bill prohibits anyone from willfully disobeying any lawful order or direction of a school crossing guard. A violator is guilty of a misdemeanor and faces a fine of up to \$500. The bill requires that any fines collected for this violation be remitted to the county or municipal corporation that employs the crossing guard.

Fiscal Summary

State Effect: None. The bill would not substantively change State activities or operations.

Local Effect: Potentially significant increase in expenditures for some jurisdictions to establish training programs and provide uniforms. Potential minimal increase in revenues for local jurisdictions in which a penalty is assessed. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: School crossing guards are not specifically authorized by statute or regulation to direct or regulate traffic.

State law requires that the following fines or penalties collected by the District Court be remitted to the respective local government or State agency:

- parking or impounding fines or forfeitures;
- housing, building, fire, health, or sanitation code violation penalties;
- fines or penalties for failure to pay a prescribed toll; and
- fines for violating the Mass Transit Fare Payment Statute.

Local Expenditures: Expenditures could increase significantly for some jurisdictions in which crossing guards are not already employed by the county or do not have uniforms or training. Worcester County, for example, estimates it would cost approximately \$90,750 to hire 15 permanent, part-time employees and provide training and uniforms. (This estimate includes the cost of two guards for private schools; it is unclear whether they would be covered by the bill.) Kent County advises that the bill would increase the county's annual expenditures by approximately \$6,200 (from \$5,379 to \$11,582) if it is required to employ the crossing guards and provide uniforms. Washington County advises that if the bill is enacted, the county sheriff's department would need to hire someone to coordinate hiring, scheduling, and training, and estimates that this would cost at least \$50,000. The county now pays the Board of Education \$200,877 to administer the crossing guard program.

Prince George's and Montgomery counties, however, indicated that the bill would have little impact because the county or local police department already employs crossing guards who receive uniforms and training. Baltimore City also advises that it would have no impact.

Additional Information

Prior Introductions: A similar bill was introduced as SB 215 in the 2001 session; it was approved by the Senate but given an unfavorable report by the House Judiciary Committee.

Cross File: None.

Information Source(s): Baltimore City, Kent County, Prince George's County, Montgomery County, Worcester County, Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2002
ncs/cer Revised - Senate Third Reader - March 28, 2002

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