

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 28

(Senator Mooney)

Judicial Proceedings

Vehicle Laws - Automated Traffic Control Signal Monitoring Systems

This bill prohibits the use of traffic control signal monitoring systems except: (1) in school zones; (2) at railroad crossings; or (3) when a law enforcement officer is present and a citation is issued at the general time and place of the violation.

Fiscal Summary

State Effect: Potential minimal decrease in special fund revenues if fewer cases are heard in District Court. Expenditures would not be affected.

Local Effect: Potential significant decrease in revenues from operation of traffic control signal monitoring systems. Potential minimal decrease in expenditures.

Small Business Effect: Potential minimal.

Analysis

Current Law: The State and political subdivisions are authorized to operate traffic control signal monitoring systems on any roads or highways in the State. A “traffic control signal monitoring system” is a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to produce recorded images of motor vehicles entering an intersection against a red signal indication. The driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a traffic control signal monitoring system while failing to stop for a red light. Fines in uncontested cases are paid directly to the issuing political subdivision or, if the State issues the citation, to the District Court. If an individual wishes to challenge a citation, the case is referred to

the District Court having venue. Any fines or penalties collected by the District Court are remitted to the Comptroller and dispersed to various transportation-related funds.

Background: Traffic control signal monitoring systems, also known as red light cameras, are automatic camera systems that photograph vehicles that run red lights. In September 2001, a San Diego Superior Court judge ruled that a red light camera system operated by a private company on behalf of the city of San Diego was unreliable, that a conflict of interest arose because the company received payment based on the number of citations issued, and that the system may be in conflict with a California state law that forbids law enforcement activities from being contracted to private companies. However, the judge also ruled that red light cameras do not violate a person's constitutional right to privacy and that the city has the constitutional right to operate red light cameras.

State Fiscal Effect: To the extent that red light camera system use is restricted, fewer citations would be issued overall, fewer cases would go to District Court, and fewer fines and penalties would be assessed and collected for transportation-related special funds. The decrease in State special fund revenues is expected to be minimal.

Except for monitoring cameras located at toll facilities, the State does not currently operate red light cameras. Maryland Transportation Police report that it cannot be determined at this time whether this bill would impact monitoring systems at toll facilities. The State Highway Administration, State Police, and Motor Vehicle Administration all report no fiscal impact from the bill.

Local Effect: Several local jurisdictions, including Anne Arundel, Baltimore, Howard, Montgomery, and Prince George's counties, currently operate red light camera systems. Baltimore and Howard counties each report 2001 revenue of \$1.2 million from their red light camera programs (Baltimore operates 12 cameras and Howard operates 27 cameras), Montgomery County reports revenues of \$2.7 million operating 25 cameras, Prince George's County reports revenues of \$1.7 million operating 17 cameras, and Anne Arundel has four cameras that generated \$338,000 in 2001.

All five counties advise that SB 28 would end their current red light systems because cameras are not located in school zones and at railroad crossings, but at high traffic volume intersections that have a history of red light running and vehicular accidents. Howard County advises that neither accident statistics nor general knowledge of school zone and railroad crossing sites warrant placement of red light cameras at those locations.

All counties pay the vendors that operate the systems according to the number of billable citations issued.

In less populous areas of the state -- as reported by Dorchester and Garrett counties -- the bill would have no impact because red light cameras are not in use.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Garrett County, Dorchester County, Howard County, Department of State Police, Baltimore County, Anne Arundel County, Department of Transportation (Mass Transit Administration, Maryland Transportation Police, Motor Vehicle Administration, State Highway Administration), National Conference of State Legislatures, Department of Legislative Services

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Analysis by: Mitchell J. McCalmon

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510