

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 587 (Delegate Kelly, *et al.*)
Environmental Matters

Task Force to Study the Use of Traffic Control Signal and Speed Monitoring Systems

This bill creates a six-member task force to evaluate the accuracy, effectiveness, operation, and contractor fee structures of traffic control signal and speed monitoring systems. The Motor Vehicle Administration (MVA) will staff the task force.

The bill's effective date is June 1, 2003, with the task force report due by January 1, 2004. The bill sunsets May 31, 2004.

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for the MVA are assumed to be minimal and absorbable within existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Several metropolitan and suburban jurisdictions currently operate traffic control signal monitoring systems, including Baltimore City, Howard County, Montgomery County, and Prince George's County. State law does not authorize the installation of automated speed enforcement systems in Maryland.

Background: A national dialog continues on the use of traffic control signal monitoring systems (systems in which cameras photograph vehicles that do not stop for red traffic

lights), and speed monitoring systems (systems with cameras that photograph vehicles that exceed the speed limit) focused on the central themes of delegation of authority, traffic safety, and conflict of interest. In September 2001, a San Diego Superior Court judge ruled that a red light camera system operated by a private company was unreliable, that a conflict of interest arose because the company received payment based on the number of citations issued, and that it may be in conflict with a state law that forbids law enforcement activities from being contracted to private companies. Another topic of debate centers on the Sixth Amendment of the U.S. Constitution and how – or whether – remote technology such as red light cameras is consistent with the constitutional right to confront one's accusers.

According to the National Conference of State Legislatures and the Insurance Institute for Highway Safety, a few states authorize automated enforcement for speeding violations. Colorado authorizes photo radar for speeders, but also provides that violators may insist on being personally served their citations by law enforcement officers, instead of through the mail. Oregon authorizes photo radar enforcement for speeders in certain jurisdictions. In Utah, photo radar enforcement is limited to school zones and other areas with a speed limit of 30 miles per hour or less, when a police officer is present, and signs are posted for motorists. The radar photograph must accompany a citation. The District of Columbia also has an automated enforcement program for speeding violations.

Advocates for red light cameras cite greatly improved compliance with traffic signals at intersections where monitoring cameras are located and note that the overall effect will be to reduce the over 200,000 accidents – and over 750 fatalities – that are caused annually throughout the country by motorists who run red lights. In Maryland, the first jurisdiction to install red light cameras was Howard County, which began using them in 1998. Since their installation, and through 2002, Howard County reports a 13% reduction in traffic accidents at automated enforcement intersections. The number of red light running incidents has also dropped about 70% since the program began.

Detractors say that the enhanced revenues realized by both vendors and local governments can be the primary motivation for installing red light and speed cameras, while traffic safety may or may not be improved. For example, when the District of Columbia installed its speed monitoring system, it received nearly twice as much in revenues as projected. The district recently announced plans to substantially increase the prevalence of speed monitoring systems within its borders. It is generally assumed that a traffic signal monitoring system will yield approximately two times the cost of the system in annual revenue. Projections from local governments interested in automated speed enforcement project even greater revenues from the use of those systems. There is, however, little available data to demonstrate a positive correlation between the presence

of automated enforcement systems and greater safety in the form of fewer accidents or reduced injuries.

Additional Information

Prior Introductions: This bill is similar to HB 35 of the 2002 session. HB 35 was referred to Commerce and Government Matters, where it received an unfavorable report.

Cross File: None.

Information Source(s): Department of Transportation, National Conference of State Legislatures, Insurance Institute for Highway Safety, Department of Legislative Services

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