

**Department of Legislative Services**  
**Maryland General Assembly**  
**2007 Session**

**FISCAL AND POLICY NOTE**

Senate Bill 139  
 Judicial Proceedings

(Senator Pipkin)

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**Maryland Video Surveillance Camera Deployment Commission and Fund -  
 Establishment**

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This bill establishes the Maryland Video Surveillance Camera Deployment Commission and the Maryland Video Surveillance Camera Deployment Fund. The Governor's Office must provide staff for the commission.

The bill may not be construed to authorize the commission to remove or alter video surveillance cameras installed or otherwise placed before the bill's October 1, 2007 effective date.

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**Fiscal Summary**

**State Effect:** Expenditures would increase by \$47,500 in FY 2008 to staff the commission. Future year estimates reflect annualization and inflation. Potential increase in general and special fund expenditures for several State agencies if hearing fees are imposed. Special fund revenues would increase if a fee is imposed on State agencies for hearings on video camera placement. The actual impact depends on the amount of the fee and the number of hearings held.

(in dollars)	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
SF Revenue	-	-	-	-	-
GF Expenditure	-	-	-	-	-
SF Expenditure	47,500	60,100	63,300	66,700	70,300
Net Effect	(\$47,500)	(\$60,100)	(\$63,300)	(\$66,700)	(\$70,300)

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Potential significant operational effect on local government and local law enforcement.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The stated purpose of the commission is to oversee and regulate the placement of video surveillance cameras under the control of the State or a political subdivision in public areas of the State.

The commission must: (1) hold hearings on the placement of any video surveillance cameras; and (2) approve or deny the placement of video surveillance cameras.

The commission may: (1) adopt regulations necessary to manage video surveillance cameras; (2) take an inventory of the existing video surveillance cameras; and (3) study the relationship between video surveillance cameras and the needs of the State.

The commission may establish a fee to be paid by a State agency whenever a hearing on the placement of video surveillance cameras is held. Revenue generated by the fee must be deposited into the fund used to pay for the operating costs of the commission. The balance of any unused portion of the revenue generated by the fee must revert to the fund.

State correctional facilities and juvenile detention, treatment, and corrections facilities are not covered under the bill.

**Current Law:** No applicable statutory provisions.

**State Fiscal Effect:** Expenditures could increase by an estimated \$47,533 in fiscal 2008, which accounts for the bill's October 1, 2007 effective date. The expenditures are assumed to be special funds, although if a fee is not imposed general funds would be required instead. This estimate reflects the cost of hiring one full-time employee to staff the commission and includes salaries and fringe benefits. The Governor's Office advises that additional employees may be necessary to implement the requirements of the bill if the commission must hold a significant number of hearings or perform significant other duties. Future year expenditures reflect full salaries with 4.5% annual increases and 3% employee turnover.

Special fund revenues would increase if a fee is imposed on State agencies requesting to place video surveillance cameras in public areas. It is unknown if the revenues generated by any fee that may be imposed will be sufficient to offset expenditures.

As discussed below, several State agencies utilize video surveillance for investigative, security, and crime prevention purposes. General and special fund expenditures for these agencies could increase due to the imposition of the fee for hearings before the Maryland Video Surveillance Camera Deployment Commission. The actual effect depends on the amount of the fee and the number of hearings that will be required.

#### *Department of State Police*

The Department of State Police Technical Surveillance Unit places 10 to 30 cameras per year, including pole and vehicular cameras, throughout the State for investigative purposes. The department is also in the process of deploying an additional 450 in-car surveillance cameras. Other units also use video camera surveillance during the course of investigations.

#### *Department of Natural Resources (DNR)*

The Maryland Park Service utilizes video surveillance cameras in public areas under its management to provide security and crime deterrence. The Natural Resources Police also utilize video surveillance cameras for investigative and enforcement purposes. DNR advises that the requirement for a hearing and prior approval for use of cameras for law enforcement purposes would have a negative operational impact on these activities.

Based on the most current available information, the park service may install as many as 10 additional cameras in any given year, and this could incur associated hearing costs.

#### *Maryland Department of Transportation (MDOT)*

The Maryland Department of Transportation uses video surveillance for a multiple uses across the various modes of transportation, as follows:

- The State Highway Administration uses camera systems to optimize traffic flow and manage congestion.
- The Maryland Transportation Authority uses video monitoring as part of their system of Electronic Toll Collection as authorized by § 21-114 of the Transportation Article.
- The Maryland Transit Administration uses video throughout Metro subway and MARC stations as part of its homeland security plans, as directed by the Transportation Security Administration (TSA) and the U.S. Department of Homeland Security.

- The Maryland Aviation Administration works closely with TSA on security issues, including the use of closed circuit television cameras within the Baltimore-Washington International Thurgood Marshall Airport.
- The Maryland Port Authority uses security cameras to monitor trucks and container traffic entering and exiting Seagirt Marine Terminal and Dundalk Marine Terminal.

MDOT is concerned that the increased responsibility to prepare and present justification for camera placement would impede needed surveillance projects, and that a master list of video systems would give criminals and terrorists information needed to disable or circumvent them.

**Local Fiscal Effect:** Although the hearing fees do not apply to political subdivisions, local governments may experience an operational effect due to the requirement that all video surveillance cameras be approved prior to use. Local law enforcement agencies that currently utilize video surveillance for investigative and crime prevention purposes may experience operational effects similar to those of State agencies based on the requirement that hearings be held prior to placement of video surveillance cameras.

Baltimore City advises that it has an extensive network of cameras that monitor both the downtown commercial district as well as areas of the city that have a higher incidence of crime. The city advises that requiring the prior approval of the commission for future placement of surveillance cameras would have a negative operational effect on the Baltimore City Police Department.

The Montgomery County Department of Public Works and Transportation (DPWT) has over 150 surveillance cameras in service and expects to have over 220 within the next few years. DPWT currently coordinates the locations of these cameras with the State Highway Administration. DPWT advises that the potential costs associated with obtaining commission approval would likely cause it to reduce the number of cameras it installs in any budget year.

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### **Additional Information**

**Prior Introductions:** SB 790 of 2006, an identical bill, was scheduled for a hearing in the Senate Judicial Proceedings Committee but was withdrawn. SB 981 of 2005, also an identical bill, received a hearing in the Senate Judicial Proceedings Committee but was withdrawn.

**Cross File:** None.

**Information Source(s):** Cecil County, Montgomery County, Caroline County, Department of Natural Resources, Governor's Office, Department of State Police, Maryland Department of Transportation, Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 2, 2007  
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Analysis by: Nicholas M. Goedert

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510