

Department of Legislative Services
 Maryland General Assembly
 2010 Session

FISCAL AND POLICY NOTE

House Bill 1000 (Delegates Conaway and Anderson)
 Judiciary

Vehicle Laws - Police Vehicles Engaged in Traffic Stops - Video Recording Systems

This bill requires, beginning October 1, 2011, a motor vehicle of a law enforcement agency to be equipped with an in-car video (ICV) recording system that activates simultaneously with the vehicle’s emergency lights and makes a video recording of any activity occurring immediately in front of the vehicle during a traffic stop. Video recordings must be retained by law enforcement agencies for a period of one year.

Fiscal Summary

State Effect: General fund, Transportation Trust Fund (TTF), special fund, and nonbudgeted expenditures may increase by about \$11.8 million in FY 2012 under the information and assumptions discussed below, for the Department of State Police (DSP) and other State law enforcement agencies, including those of higher education institutions, to equip patrol cars with ICV systems. Out-year expenditures include ongoing maintenance and personnel costs. Revenues are unaffected.

(in dollars)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues	\$0	\$0	\$0	\$0	\$0
GF/SF Exp.	0	11,781,900	1,011,400	1,177,500	1,344,100
Net Effect	\$0	(\$11,781,900)	(\$1,011,400)	(\$1,177,500)	(\$1,344,100)

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

Local Effect: Local government expenditures may increase by about \$45.1 million in FY 2012 statewide to equip local law enforcement agency patrol cars with ICV systems and for personnel and ancillary system costs. Revenues are unaffected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill defines a “law enforcement agency” by reference to a provision in the Public Safety Article, which includes the following agencies:

- the Department of State Police;
- the Police Department of Baltimore City;
- the Baltimore City School Police Force;
- the Baltimore City Watershed Police Force;
- the police department, bureau, or force of a county;
- the police department, bureau, or force of a municipal corporation;
- the office of the sheriff of a county;
- the police department, bureau, or force of a bicounty agency;
- the Maryland Transportation Authority Police;
- the police forces of the Maryland Department of Transportation;
- the police forces of the Department of Natural Resources;
- the Field Enforcement Bureau of the Comptroller’s Office;
- the Housing Authority of Baltimore City Police Force;
- the Crofton Police Department;
- the police force of the Department of Health and Mental Hygiene;
- the police force of the Department of General Services;
- the police force of the Department of Labor, Licensing, and Regulation;
- the police forces of the University System of Maryland;
- the police force of Morgan State University;
- the office of State Fire Marshal;
- the Ocean Pines Police Department;
- the police force of the Baltimore City Community College; or
- the police force of the Hagerstown Community College.

Current Law: In Maryland, a police officer may charge a person with a violation of the Maryland Vehicle Law, if the officer has probable cause to believe that the person has committed or is committing a violation. The officer must then issue a traffic citation, which must contain a driver’s license number and the vehicle’s registration number.

Background: ICV technology has been used on some DSP vehicles since 1999. In addition, the Montgomery County Police Department is currently planning to equip each

of its marked patrol cars with ICV units. Several other states and large municipalities have used ICVs either full time or in pilot programs for over a decade. Reported benefits of ICV systems include deterrence of abuse by police officers and frivolous complaints by citizens against police officers, greater confidence in police departments through added transparency, and the potential for generation of additional evidence for use by the judicial system.

State Expenditures: General fund, TTF, special fund, and nonbudgeted expenditures may increase by about \$11.8 million in fiscal 2012 for DSP and other State law enforcement agencies to equip patrol cars with in-car video systems. This estimate is based on the following information and assumptions:

- according to DSP, 949 of its 1,484 sworn officers with cars must be equipped with ICV units;
- according to the Maryland Transportation Authority, 70 of its 270 cars must be equipped with ICV units (the other 200 cars are already equipped);
- according to the Department of Natural Resources, all 230 of its patrol cars must be equipped with ICV units;
- according to the Department of General Services, 7 of its 9 patrol cars must be equipped with ICV units (the other 2 cars are already equipped);
- according to the University System of Maryland, 50 patrol cars must be equipped with ICV units;
- according to the most recent data from the State's Uniform Crime Report, as of October 1, 2008, there were 15,619 sworn officers in the State, of which only 372 are not a member of one of the law enforcement agencies discussed above or a local law enforcement agency;
- of these 372 remaining sworn officers it is assumed that the ratio of officers to cars is two to one, such that there are 186 patrol cars for these officers; and
- according to detailed cost data provided by DSP, the cost per ICV unit is \$5,748, with an average additional cost of about \$2,149 per unit, which comprises contractual maintenance, data storage, and other equipment costs.

Fiscal 2013 expenditures, also based on the cost estimate provided by DSP, are roughly 8.6% of fiscal 2012 expenditures and account for replacement equipment and maintenance contracts. Out-year expenditures beginning in fiscal 2014 reflect ongoing equipment and maintenance contract costs, increasing at a rate specified in the DSP cost estimate.

Local Expenditures: Local government expenditures may increase by about \$45.1 million in fiscal 2012 for local law enforcement agencies statewide to equip each

patrol car with an ICV unit and provide for the other equipment and technicians needed to implement the bill. Out-year costs are as follows: \$3.9 million in fiscal 2013; \$4.5 million in fiscal 2014; and \$5.1 million in fiscal 2015. This estimate is based on the information and assumptions provided above, as well as the following:

- of the estimated 15,619 sworn officers in the State, 12,823 are from local law enforcement agencies;
- Montgomery County advises that it is already planning to equip approximately 800 patrol cars with ICV systems, which are not included in this estimate; and
- although it is unknown how many existing patrol cars, if any, are equipped with ICV units that are compliant with the bill, it is assumed that 5% of cars already comply with the bill and are not included in the estimate.

All other information and assumptions, including the assumed ratio of officers to cars, cost data, and out-year expenditures are the same as used in the analysis of State expenditures.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Dorchester, Garrett, Howard, and Montgomery counties; City of Laurel; Office of the Attorney General; Department of Natural Resources; Department of General Services; Maryland Higher Education Commission; Department of Health and Mental Hygiene; Judiciary (Administrative Office of the Courts); Department of Labor, Licensing, and Regulation; Department of State Police; Morgan State University; Office of the Public Defender; State's Attorneys' Association; University System of Maryland; Department of Legislative Services

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Analysis by: Evan M. Isaacson

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