

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 1137

(Delegate Healey, *et al.*)

Environmental Matters

Judicial Proceedings

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Vehicle Laws - Speed Monitoring Systems - Warning Signs

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This bill requires that a conspicuous sign alerting drivers to the presence of a school zone speed monitoring system be placed in close proximity to the sign designating the presence of a school zone and be consistent with State Highway Administration (SHA) regulations, which are required to be adopted by SHA under the bill. The bill also repeals specified signage requirements for speed monitoring systems placed near an institution of higher education in Prince George's County.

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Fiscal Summary

**State Effect:** None. SHA can handle the bill's regulatory development requirement with existing resources.

**Local Effect:** Local government expenditures increase for jurisdictions with school zone speed monitoring systems. Revenues are not directly affected. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Current Law:** Before activating an unmanned stationary speed monitoring system, the local jurisdiction must:

- publish notice of the location on its website and in a newspaper of general circulation in the jurisdiction;

- ensure that each school zone sign indicates that speed monitoring systems are in use in school zones; and
- for a speed monitoring system near an institution of higher education, ensure that all speed limit signs approaching and within the segment of highway on which the speed monitoring system is located include signs that indicate that a speed monitoring system is in use and that are in accordance with the manual and specifications for a uniform system of traffic control devices adopted by SHA.

A work zone speed control system may be used only if, in accordance with the Maryland manual on uniform traffic control devices, a conspicuous road sign is placed at a reasonable distance consistent with national guidelines before the work zone alerting drivers that a speed monitoring system may be in operation in the work zone.

**Background:** Chapter 15 of 2006 authorized the first use of speed monitoring systems in the State, but it only applied to highways in school zones and residential districts in Montgomery County. Chapter 500 of 2009 expanded statewide the authorization for the use of speed monitoring systems in school zones. In school zones, local law enforcement agencies or their contractors may issue citations or warnings to vehicle owners for speeding at least 12 miles per hour above the posted speed limit. The maximum fine for a citation is \$40.

A speed monitoring system may be placed in a school zone for operation between 6 a.m. and 8 p.m. Monday through Friday. Before a speed monitoring system may be used in a local jurisdiction, its use must be authorized by the governing body by ordinance or resolution adopted after reasonable notice and a public hearing. The ordinance or resolution must require the issuance of warnings only during the first 30 days, at a minimum, after the first speed monitoring system is placed in a local jurisdiction. As noted above, before activating an unmanned stationary speed monitoring system, a local jurisdiction must publish notice of its location on the local jurisdiction's website and in a general circulation newspaper in the jurisdiction. The local jurisdiction must also ensure that each school zone sign indicates that speed monitoring systems are used in school zones.

Chapter 500 also authorized State and local law enforcement agencies or their contractors to issue citations or warnings for speeding at least 12 miles per hour above the posted speed limit in highway work zones that are set up on expressways or controlled access highways where the speed limit is 45 miles per hour or greater. As noted above, a conspicuous road sign warning of the use of speed monitoring systems must be placed at a reasonable distance from the work zone.

A work zone is a segment of a highway identified as a temporary traffic control zone by a traffic control device in conformance with State specifications, and where highway construction, repair, maintenance, utility work, or related activities are being performed,

regardless of whether workers are present. A work zone speed control system may only be used while being operated by a work zone speed control system operator. The maximum fine for a ticket issued by a work zone speed control system operator is \$40.

Chapter 474 of 2010 authorized the use of speed monitoring systems in Prince George's County on a highway located within the grounds of an institution of higher education or on a highway within a half mile of the institution's property if it is determined by generally accepted traffic and engineering practices that motor vehicle or other traffic on the highway is substantially generated or influenced by the institution. In addition, Chapter 474 authorized a municipal corporation in Prince George's County, under permission of the county, to implement a speed monitoring system on a county highway within a school zone.

**Local Expenditures:** Legislative Services advises that it cannot develop a reliable estimate of the increase in local government expenditures at this time without knowledge of the contents of the SHA regulations that must be developed under the bill. Baltimore and Montgomery counties and Baltimore City advise that, if the regulations require the placement of an additional sign for each school zone speed monitoring system, then signage costs may increase by between \$75 and \$150 per speed monitoring system. However, Montgomery County advises that SHA may reasonably require the placement of more than one additional sign per speed monitoring system under current highway signage principles; to the extent SHA regulations ultimately create significantly greater signage requirements, costs per speed monitoring system may increase by between \$600 and \$800.

Thus, expenditures may only increase minimally – between \$2,000 and \$20,000 – for each of these jurisdictions at costs of \$75 to \$150 per sign, to the extent that only one additional sign is necessary. By contrast, expenditures may increase more significantly for these and other jurisdictions with a significant number of school zone speed monitoring systems, to the extent that SHA regulations require significantly more work than the placement of only one additional sign per speed monitoring system. For example, assuming that Baltimore County has 30 school zone speed monitoring systems, Montgomery County has 82 speed monitoring systems, and Baltimore City has 125 systems, expenditures may increase by as much as \$24,000 for Baltimore County, \$65,600 for Montgomery County, and \$100,000 for Baltimore City.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Allegany, Baltimore, Harford, Montgomery, and Talbot counties; Baltimore City; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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