

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

House Bill 282 (Delegate McConkey, *et al.*)  
Environmental Matters

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Vehicle Laws - Speed Monitoring Systems - Warnings

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This bill requires that the local law enforcement or other designated agency operating a speed monitoring system issue a warning instead of a citation to a liable person during the first 30 days that a system is in use.

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Fiscal Summary

**State Effect:** General fund revenues may decrease negligibly beginning in FY 2013 due to the collection of fewer fines and court costs in contested cases. Transportation Trust Fund revenues may decrease more significantly due to the collection of fewer administrative flag removal fees associated with the nonpayment of speed monitoring system fines generated by local speed monitoring systems. Motor Vehicle Administration workloads may decrease minimally to place and remove fewer administrative flags placed on vehicle registrations after nonpayment of speed monitoring system fines.

**Local Effect:** Local revenues increase by less than would otherwise occur in the absence of the bill for any jurisdiction that deploys a speed monitoring system after the bill's effective date, to the extent the bill does not reflect current practice. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** Minimal.

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Analysis

**Current Law/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. 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 nearby highways under certain circumstances.

Unless the driver of a motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of the vehicle is subject to a civil penalty if the vehicle is recorded by a speed monitoring system in violation of specified speed restrictions in the Maryland Vehicle Law. However, a local law enforcement or other designated agency operating the speed monitoring system may mail a warning notice instead of a citation.

Before activating an unmanned stationary speed monitoring system, a 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 the State Highway Administration.

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.

**Local Revenues:** Currently, Baltimore City and at least six counties (Baltimore, Charles, Howard, Montgomery, Prince George's, and Wicomico) implement speed monitoring system programs, as well as several municipal corporations. It is not known which of these jurisdictions, and how many additional jurisdictions, will deploy additional speed monitoring systems in the future. For example, Howard County implements a local

speed monitoring program but indicates that it has no plans to increase the number of speed monitoring systems in use.

Local speed monitoring revenues will increase by less than would otherwise occur in the absence of the bill for each jurisdiction that deploys an additional speed monitoring system after the bill's effective date, except to the extent that the bill reflects current practice. For example, Baltimore County and the City of Frederick indicate that the bill reflects current practice and would, therefore, have no fiscal impact. But for jurisdictions that do not currently issue warnings for violations recorded by *new* speed monitoring systems, the bill may result in the collection of significantly less fine revenue. This impact may be particularly significant for smaller jurisdictions operating speed monitoring programs such as municipal corporations.

**Additional Comments:** This fiscal estimate assumes that the bill will be interpreted to apply only to the use of new speed monitoring systems and not to systems that are relocated to new locations. To the extent that the bill is interpreted otherwise, the actual decrease in local government revenues may be greater than estimated.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Howard and Montgomery counties, the cities of Frederick and Havre de Grace, Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2012  
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