

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1754 (Delegate Bromwell, *et al.*)
Environment and Transportation

Baltimore County - Speed Monitoring System Fines - After-Prom Parties

This bill authorizes Baltimore County to spend, from the fines collected from violations enforced by speed monitoring systems (speed cameras) in school zones, up to \$5,000 annually per public high school for after-prom parties. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: None.

Local Effect: Baltimore County expenditures for public safety purposes decrease by as much as \$140,000 beginning in FY 2019. Baltimore County expenditures increase correspondingly for public high school after-prom parties.

Small Business Effect: Potential minimal.

Analysis

Current Law/Background: From the fines generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. However, if the balance of revenues after cost recovery for any fiscal year is greater than 10% of the jurisdiction's total revenues, the excess must be remitted to the Comptroller. According to data from the Comptroller, as of January 2018, no money was remitted in either fiscal 2017 or 2016 (with data pending from Prince George's County only).

A complete discussion of speed monitoring systems in the State can be found in the **Appendix – Speed Monitoring Systems**.

Local Fiscal Effect: Baltimore County advises that there are 28 public high schools in the county. Thus, assuming the maximum authorization of \$5,000 for after-prom parties is applied to each high school, county expenditures for public safety purposes decrease by \$140,000 beginning in fiscal 2019. Baltimore County expenditures for after-prom parties increase correspondingly. It is assumed this funding is redistributed to the Baltimore County Public School System.

In fiscal 2017, Baltimore County collected \$6.7 million in speed camera revenues and used \$3.5 million for implementation and administrative costs related to the speed camera program. Thus, net speed camera revenues for the county totaled about \$3.2 million in fiscal 2017. While the exact amount of revenues collected from *school zone* speed cameras is unknown, this analysis assumes that a significant portion of system revenues originate from violations occurring in those locations.

Additional Information

Prior Introductions: None.

Cross File: SB 1196 (Senator Klausmeier) - Judicial Proceedings.

Information Source(s): Baltimore County; Comptroller; Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2018
md/ljm

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Appendix – Speed Monitoring Systems

Speed Monitoring Systems

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 and also authorized the use of work zone speed control systems. 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.

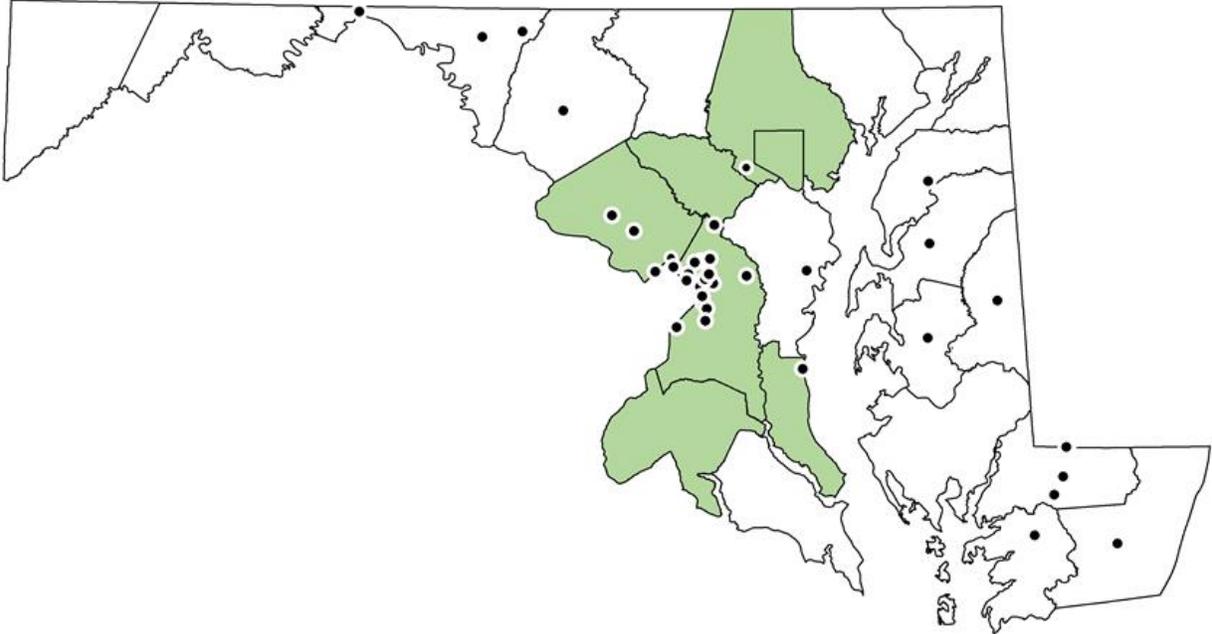
Unless the driver of a motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of the vehicle is subject to a civil penalty if the vehicle is recorded speeding at least 12 miles per hour above the posted speed limit by a speed monitoring system in violation of specified speed restrictions in the Maryland Vehicle Law. The maximum fine for a citation issued by a speed monitoring system operator is \$40. However, a local law enforcement or other designated agency operating the speed monitoring system may mail a warning notice instead of a citation.

A speed monitoring system may be placed in a school zone for operation between 6:00 a.m. and 8:00 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, and its location must be published on the jurisdiction’s website and in a newspaper of general circulation in the jurisdiction.

According to the Insurance Institute for Highway Safety (IIHS), 143 jurisdictions across the nation use speed cameras. In addition, Illinois, Maryland, and Oregon use speed cameras statewide in work zones. In Maryland, speed cameras are used in six counties and Baltimore City, 38 other jurisdictions, and by the State Highway Administration (SHA) on a statewide basis for work zones. **Exhibit 1** shows local speed camera usage across the State as of January 2018.

From the fines generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. However, if the balance of revenues after cost recovery for any fiscal year is greater than 10% of the jurisdiction’s total revenues, the excess must be remitted to the Comptroller. According to data from the Comptroller, as of January 2018, no money was remitted in either fiscal 2017 or 2016 (with data pending from Prince George’s County only).

Exhibit 1
Local Speed Monitoring System Enforcement in Maryland
January 2018



Note: ● represents municipal corporations that operate speed monitoring systems; ■ represents counties that operate speed monitoring systems. Speed cameras are also operated in highway work zones statewide.

Source: Insurance Institute for Highway Safety; Comptroller's Office; Department of Legislative Services

In fiscal 2017, the Comptroller reports that 45 local jurisdictions generated speed monitoring system fine revenues of about \$54.8 million, of which about \$24.8 million (45.2%) was retained by local jurisdictions for public safety programs after recovery of the costs of implementing the systems (see **Exhibit 2**). Between fiscal 2016 and 2017, total fine revenues decreased by approximately \$2.4 million while implementation expenditures decreased by \$1.5 million. Net revenues retained for public safety decreased by approximately \$451,000 between fiscal 2016 and 2017.

Exhibit 2
Local Speed Monitoring Systems Data (Aggregated)
Fiscal 2014-2017

| <u>Fiscal Year</u> | <u>Fine Revenues</u> | <u>System Costs</u> | <u>Net Revenues</u> | <u>Due to State</u> |
|--------------------|----------------------|---------------------|---------------------|---------------------|
| 2017* | \$54,802,197 | \$30,145,731 | \$24,757,588 | - |
| 2016 | 57,198,345 | 31,637,019 | 25,208,963 | - |
| 2015 | 56,966,652 | 28,794,043 | 28,175,109 | \$456,006 |
| 2014 | 53,842,875 | 32,978,310 | 20,864,564 | - |

* As of January 2018; data pending for Prince George's County.

Source: Comptroller's Office; Department of Legislative Services

Speed Monitoring System Reform – Chapter 491 of 2014

The General Assembly passed House Bill 929 of 2014 (enacted as Chapter 491) in response to significant concerns from the public and media scrutiny of speed cameras in Baltimore City and several other jurisdictions. These concerns centered around two common criticisms of speed cameras: (1) that technical issues and insufficient review of recorded images resulted in erroneously generated citations; and (2) that the contracts with vendors were structured in such a manner as to establish an incentive to generate more citations and revenues, thereby casting doubt on the integrity or purpose of speed monitoring programs. Thus, Chapter 491 required jurisdictions to impose new restrictions and requirements on their contracts with speed monitoring vendors and established numerous additional requirements and restrictions pertaining to the issuance of citations, the calibration and self-testing of systems, the review of erroneous citations, and the use and placement of systems in school zones.

Automated Speed Enforcement Efficacy

National and international studies of automated speed enforcement, as well as local program evaluations, provide some insight into the level of effectiveness of such enforcement mechanisms. According to IIHS, several studies have documented reductions in crashes in the vicinities of speed cameras, including crashes that result in an injury or fatality.

A 2015 study by IIHS of speed camera usage in Montgomery County, Maryland, showed long-term changes in driver behavior as well as reductions in injuries and deaths. Montgomery County introduced speed cameras in 2007, and an initial review of the

program by IIHS six months into the program found that the percentage of vehicles going more than 10 miles per hour over the speed limit (which, at that time, was the enforcement threshold) declined by 70% on roads with speed cameras. The 2015 study showed a 59% reduction in the likelihood of a driver exceeding the speed limit by more than 10 miles per hour, compared with similar roads in Virginia without speed cameras. The same comparison showed a 19% reduction in the likelihood that a crash would involve a fatality or an incapacitating injury.

Data from the National Work Zone Safety Information Clearinghouse shows that there were 764 fatalities in highway work zones nationwide in 2016, including 5 in Maryland. The number of work zone fatalities in Maryland in 2016 was unchanged from 2015; both years had the lowest number of fatalities since 2011. On average, the number of work zone fatalities has declined significantly since the program's commencement. Between 2010 and 2016, work zone fatalities averaged 6.6 per year in Maryland, a reduction of about 45% from the seven-year average of 11.9 fatalities per year from 2003 through 2009.

Nationally, there was also a similar, but less significant, drop in work zone fatalities, with a 30% reduction in the average between 2010 and 2016, as compared with the period from 2003 through 2009. Federal data also shows that work zone fatalities, *as a percentage of total traffic fatalities*, have dropped in Maryland, comparing averages from 2003 through 2009 to those from 2010 through 2016. Again, the reduction in Maryland is greater than the similar, but less significant, reduction nationally in terms of the percentage of traffic fatalities occurring in work zones.