

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1063 (Delegate Bridges, *et al.*)
Environment and Transportation

Baltimore City - Speed Monitoring Systems - Local Authority

This bill authorizes the Mayor and City Council of Baltimore City to determine the location, operating time, and the speed tolerance of speed monitoring systems (speed cameras) in Baltimore City.

Fiscal Summary

State Effect: General fund revenues may increase minimally beginning in FY 2020 due to additional contested cases in District Court. Expenditures are not materially affected.

Local Effect: Revenues for Baltimore City increase, likely significantly, beginning in FY 2020, as discussed below. Expenditures increase correspondingly – both to install and maintain any additional cameras and for public safety purposes.

Small Business Effect: Potential minimal.

Analysis

Current Law/Background: Speed monitoring systems must be authorized in a local jurisdiction by the governing body of the jurisdiction but only after reasonable notice and a public hearing. Before activating a speed monitoring system, a local jurisdiction must publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction. In addition, the jurisdiction must also ensure that each sign that designates a school zone is proximate to a sign that (1) indicates that speed monitoring systems are in use in the school zone and (2) conforms with specified traffic control device standards adopted by the State Highway Administration.

A speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

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.

A complete discussion of speed monitoring systems in the State can be found in the **Appendix – Automated Enforcement**.

State Fiscal Effect: Under the bill, the number of citations issued in Baltimore City is expected to increase. As a result, the number of individuals opting for a trial in District Court is also likely to increase. Accordingly, general fund revenues may increase minimally, as fine revenues paid by individuals convicted in District Court are paid into the general fund. The increase in District Court caseloads can likely be handled with existing resources.

Local Fiscal Effect: Baltimore City did not provide a response indicating how it intends to use the authority provided by the bill. However, the Department of Legislative Services (DLS) advises that Baltimore City revenues are likely to increase significantly beginning in fiscal 2020 based on the following assumptions:

- additional speed cameras are placed throughout the city (*i.e.*, beyond those already placed in school zones);
- the hours of operation for speed cameras are extended; and
- the speed tolerance threshold for cameras is lowered (*i.e.*, below 12-miles per hour).

The exact increase in revenues depends on the number of additional speed cameras, how the hours of operation are modified, and the extent to which the speed tolerance threshold is lowered. Thus, DLS cannot provide a reliable estimate of how Baltimore City revenues are affected under the bill.

Assuming Baltimore City installs additional speed cameras under the bill, expenditures increase beginning in fiscal 2020 in order to procure, install, and maintain additional cameras. Even so, the increase in revenues is likely to far exceed the increase in such expenditures, based on the use of speed camera systems in the State to date. In addition, because Baltimore City already operates speed monitoring systems, the marginal costs of additional cameras is not expected to be significant. After cost recovery, the remaining revenues may only be expended for public safety purposes. Thus, expenditures also increase for public safety purposes.

According to data from the Comptroller's Office, in fiscal 2018, Baltimore City generated about \$9.6 million in total fine revenues; implementation costs totaled more than \$2.2 million. Net revenues retained for public safety purposes totaled about \$7.4 million.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Comptroller's Office; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2019
mm/ljm

Analysis by: Eric F. Pierce

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

Appendix – Automated Enforcement

Speed Monitoring Systems

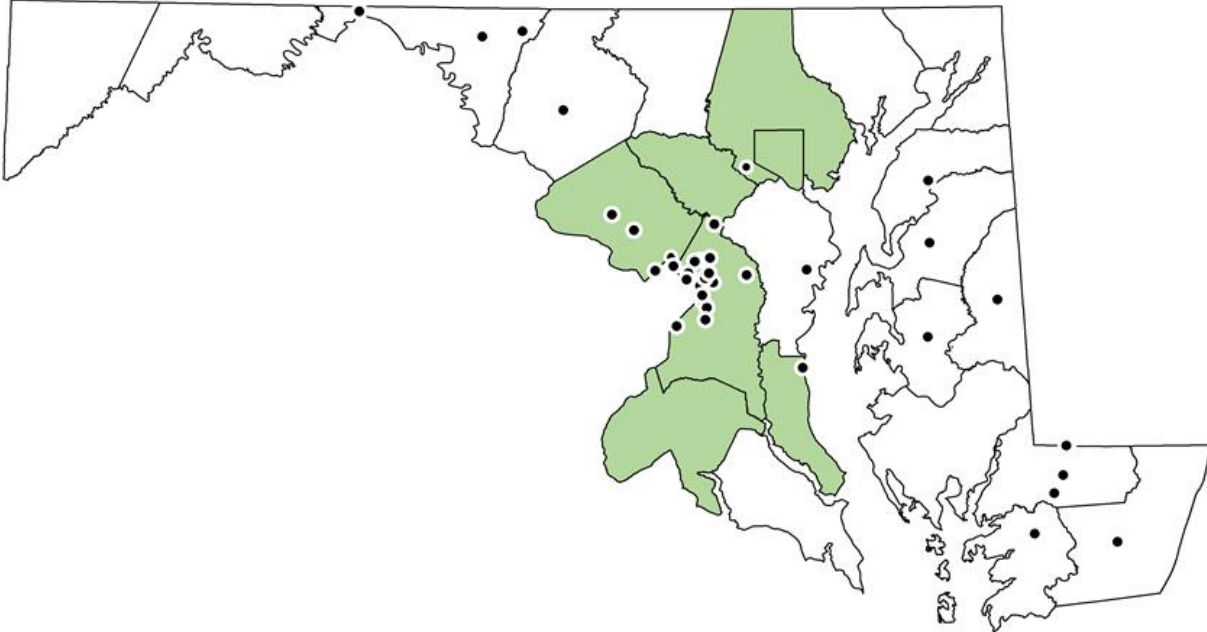
Chapter 15 of 2006 authorized the first use of speed monitoring systems in the State, but it only applied to highways in school zones and residential districts in Montgomery County. Chapter 500 of 2009 expanded statewide the authorization for the use of speed monitoring systems in school zones and also 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. Chapter 806 of 2018 authorized Prince George's County to place one speed camera at the intersection of Old Fort Road and Maryland Route 210 (Indian Head Highway), subject to specified requirements.

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), 137 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 2019.

Exhibit 1
Local Speed Monitoring System Enforcement in Maryland
January 2019



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

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. As shown in **Exhibit 2**, according to data from the Comptroller, as of January 2019, approximately \$226,800 was remitted in fiscal 2018, while no money was remitted in fiscal 2017 (with data pending for fiscal 2018 from Prince George's County only).

Exhibit 2
Local Speed Monitoring Systems Data (Aggregated)
Fiscal 2014-2018

<u>Fiscal Year</u>	<u>Fine Revenues</u>	<u>System Costs</u>	<u>Net Revenues</u>	<u>Due to State</u>
2018*	\$56,855,016	\$27,262,388	\$29,615,707	\$226,822
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 2019; data pending for Prince George's County.

Source: Comptroller's Office; Department of Legislative Services

Also, in fiscal 2018, the Comptroller reports that 46 (excluding Prince George's County) local jurisdictions generated speed monitoring system fine revenues of about \$56.9 million, of which about \$30.0 million (52.7%) was retained by local jurisdictions for public safety programs after recovery of the costs of implementing the systems. Between fiscal 2017 and 2018, total fine revenues increased by approximately \$2.1 million while implementation expenditures decreased by \$2.9 million. Net revenues retained by local jurisdictions for public safety increased by approximately \$4.6 million between fiscal 2017 and 2018.

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 Highway Traffic Safety Administration shows that there were 799 fatalities in highway work zones nationwide in 2017, including 14 in Maryland. The number of work zone fatalities in Maryland in 2017 was the highest number of fatalities since 2005. (Nationally, the number of work zone fatalities was the highest number since 2007). Nevertheless, on average, the number of work zone fatalities has declined significantly since the program's commencement. Between 2010 and 2017, work zone fatalities averaged 7.5 per year in Maryland, a reduction of about 39% from the eight-year average of 12.4 fatalities per year from 2002 through 2009.

Nationally, there was also a similar, but less significant, drop in work zone fatalities, with an approximately 30% reduction in the eight-year average between 2010 and 2017, as compared with the period from 2002 through 2009. Federal data also shows that work zone fatalities, *as a percentage of total traffic fatalities*, have dropped in Maryland, comparing averages from 2002 through 2009 to those from 2010 through 2017. 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.

Traffic Control Signal Monitoring Systems (Red Light Cameras)

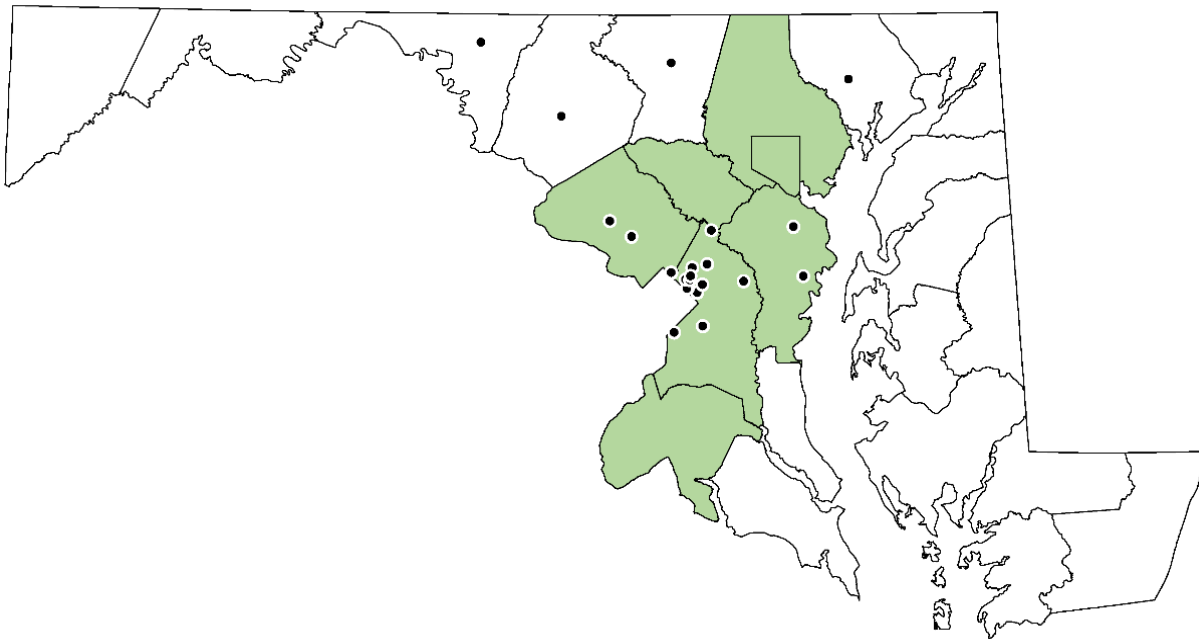
Unless the driver of a motor vehicle receives a citation from a police officer at the time of the violation, the owner or driver of a vehicle recorded by a red light monitoring system entering an intersection against a red signal in violation of the Maryland Vehicle Law is subject to a civil penalty of up to \$100. Red light camera enforcement applies to a violation

of specified Maryland Vehicle Law requirements applicable to a vehicle approaching a steady circular red signal or arrow, including (1) stopping at a clearly marked stop line, or crosswalk if there is no stop line, or intersection if there is no crosswalk and (2) remaining stopped until a signal allows the vehicle to proceed.

A driver is specifically authorized under the Maryland Vehicle Law to cautiously enter an intersection to make a right turn (or left turn from a one-way street to another one-way street) after stopping at a steady red light, unless a sign otherwise prohibits the turn.

According to IIHS, 390 jurisdictions across the nation have red light camera programs as of January 2019. In Maryland, six counties, Baltimore City, and 22 other jurisdictions use red light cameras. **Exhibit 3** shows red light camera usage across the State as of January 2019.

Exhibit 3
Local Red Light Camera Enforcement in Maryland
January 2019



Note: ● represents municipal corporations that operate red light camera systems; ■ represents counties that operate red light camera systems.

Source: Insurance Institute for Highway Safety; Department of Legislative Services
