

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 383 (Delegate Carr)
Environment and Transportation

Traffic Control Signal Monitoring Systems – Exclusion of Vehicle Rental
Companies – Repeal and Notification Requirement

This bill, by repealing an exclusion, subjects a motor vehicle rental company, as the owner of a vehicle, to enforcement of violations recorded by traffic control signal monitoring systems (*i.e.*, red light cameras). Before mailing a citation to a rental company, the relevant law enforcement agency must send a notice to the rental company stating that a citation will be mailed to the rental company unless, within 45 days of receiving the notice, the rental company provides the agency with (1) a statement under oath of the name and last known address of the individual driving or renting the vehicle when the violation occurred; (2) a statement under oath that the vehicle was stolen at the time of the violation and a copy of the police report; or (3) payment for the penalty. A law enforcement agency may not mail a citation to a rental company if it complies with these requirements. Additionally, a motor vehicle leasing company is not affected by the bill (and retains its current exclusion).

Fiscal Summary

State Effect: Because the owner of a rental company may receive a red light camera citation under the bill, the District Court’s caseload may increase due to more contested citations; however, the Judiciary can handle the additional caseload with existing resources. General fund revenues likely increase minimally beginning in FY 2022.

Local Effect: Local government revenues in jurisdictions that operate red light cameras increase beginning in FY 2022. Any such impact cannot be reliably estimated but is assumed to be minimal overall. Expenditures are not materially affected.

Small Business Effect: Minimal.

Analysis

Current Law: 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. “Owner” means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more; it specifically does not include a motor vehicle rental or leasing company or the holder of a specified special registration plate. 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.

State Revenues: Under the bill, the number of citations issued in several jurisdictions across the State is expected to increase, as some violations become enforceable due to the bill’s repeal of the existing rental-company exclusion. As a result, the number of individuals opting for a trial in District Court is also likely to increase. Accordingly, general fund revenues also likely increase, as fine revenues paid by individuals convicted in District Court are paid into the general fund.

Local Revenues: Local government revenues increase beginning in fiscal 2022 for any local government that operates a red light camera program. This analysis assumes the owner of a rental company either prepays the citation (or provides sufficient identifying information so that the driver may be cited instead).

Repealing the current exclusion may also result in additional contested cases when newly liable owners receive citations. As noted above, revenues from contested cases are deposited into the State general fund. Therefore, any increase in local government revenues may be mitigated by this phenomenon. A more precise estimate of the bill’s effect on local government revenues cannot be made without additional data, such as the number of citations in various jurisdictions across the State that are uncollectable annually as a result of the existing rental company exclusion.

Additional Comments: According to the Insurance Institute for Highway Safety, approximately 340 jurisdictions across the nation have red light camera programs (as of January 2020). In Maryland, six counties, Baltimore City, and 22 other jurisdictions use red light cameras.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Carroll, Montgomery, Queen Anne's, and St. Mary's counties; City of Bowie; Maryland Department of Transportation; Department of Legislative Services

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rh/ljm

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