

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 231 (Montgomery County Delegation)
Environment and Transportation

Judicial Proceedings

Montgomery County - Automated Traffic Enforcement - Implementing Agency
MC 18-22

This bill authorizes Montgomery County to designate the Montgomery County Department of Transportation (MCDOT), in lieu of the Montgomery County Police Department (MCPD), to implement the county’s (1) traffic control signal monitoring systems (red light cameras); (2) school bus monitoring cameras; (3) speed monitoring systems (speed cameras); and (4) work zone speed cameras. The bill establishes these new authorizations under essentially the same parameters as those that exist for law enforcement agencies under current law.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: If Montgomery County designates MCDOT as the agency that implements some or all automated enforcement programs in the county, local government expenditures shift from MCPD to MCDOT, as discussed below. Assuming enforcement and citations continue at similar levels, local automated enforcement revenues for Montgomery County are not anticipated to be materially affected.

Small Business Effect: None.

Analysis

Current Law: Generally, the implementation of red light camera, school bus camera, speed camera, and work zone speed camera systems is handled by State and local law enforcement agencies. Depending on the type of automated enforcement, the criteria for what constitutes a law enforcement agency varies.

For purposes of implementing red light camera, school bus camera, and speed camera systems, “law enforcement agency” refers to a law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law (or of local traffic laws or regulations). However, for purposes of work zone speed camera enforcement, a “local police department” refers to (1) the police department of a municipal corporation; (2) the county police department; and (3) the sheriff’s department of any county that has highway traffic patrol responsibilities.

The exact responsibilities for implementing agencies vary by the type of automated enforcement system, but, generally, such agencies are responsible for processing, verifying, and mailing citations, among other things.

Local Expenditures: Assuming Montgomery County exercises the authority granted by the bill, the process for receiving, reviewing, and sending violations may be transferred entirely from one county department to another; alternatively, it may be transferred for only certain automated enforcement programs. Although the overall level of resources needed to operate the county’s automated enforcement programs at current levels is presumably unaffected by the bill, the county may nevertheless need to shift resources, such as personnel, and related ongoing funding from MCPD to MCDOT if MCDOT is designated by the county as the implementing agency. A transfer of authority may also involve one-time costs (*e.g.*, training staff on automated enforcement system requirements). However, Montgomery County advised for a prior version of this bill that the exact impact of such a transfer could not be determined.

Additional Information

Prior Introductions: HB 564 of 2021 passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 8, 2022
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