

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 813

(Montgomery County Delegation)

Environment and Transportation

Judicial Proceedings

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**Montgomery County – Speed and School Bus Monitoring Systems MC 03–22**

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This bill requires Montgomery County to annually submit reports related to school bus monitoring cameras. Additionally, the bill requires Montgomery County, in coordination with the Maryland Department of Transportation (MDOT), to examine data relating to school bus stop violations and implement certain measures in response. **The bill takes effect June 1, 2022; the requirement to coordinate with MDOT, examine specified data, and implement certain measures terminates May 31, 2024.**

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State finances or operations.

**Local Effect:** Montgomery County expenditures and revenues are likely affected, as discussed below.

**Small Business Effect:** Potential minimal.

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**Analysis**

**Bill Summary:** By December 31 each year in perpetuity, Montgomery County must:

- compile and make publicly available a report for the previous fiscal year on each school bus monitoring system operated by a local jurisdiction; and
- submit the report to Montgomery County Public Schools (MCPS), MDOT, the Montgomery County Department of Transportation (MCDOT), the Montgomery County VisionZero Coordinator, and the Montgomery County Delegation to the General Assembly.

The report must include:

- the number of violations that occurred at each school bus stop in each of the previous six fiscal years;
- a breakdown of the violations by the direction in which each vehicle involved in a violation was traveling in relation to the stopped school bus; and
- the total amount of fines issued for violations at each school bus stop in each of the previous six fiscal years.

Additionally, Montgomery County, in coordination with MDOT, must examine school bus stop violation data to determine the 10 school bus stop locations at which the highest number of citations for passing a stopped school bus are issued and implement operational alternatives for those stops, including:

- ensuring that all public outreach and information about the school bus camera program and citations issued for related violations are provided in multiple languages;
- producing and implementing public hyperlocal education campaigns about school bus stop laws, in coordination with MDOT;
- improving signage and markings at school bus stops;
- identifying and implementing strategies that will improve driver expectancy and pedestrian safety;
- examining alternative penalties for a driver's first offense for the purpose of not financially penalizing a driver for failure to know the law or the area;
- relocating school bus stops at which the most violations occur to safer locations, if warranted; and
- convening regular meetings between MCPS, the Montgomery County Police Department, and other stakeholders to examine data trends and explore other plans to reduce violations and improve safety at school bus stops.

This requirement terminates May 31, 2024. However, before then, Montgomery County must report to the General Assembly on its findings and the actions taken to implement improvements. Reports are due December 31, 2022, and December 31, 2023.

### **Current Law:**

#### *School Bus Monitoring Cameras*

Local jurisdictions may use school bus monitoring camera systems if expressly authorized by the governing body. If authorized, a law enforcement agency, in consultation with the local board of education, may place school bus monitoring cameras on school buses in the

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county. A recorded image indicating a violation must include (1) an image of the motor vehicle; (2) an image of at least one of the motor vehicle's registration plates; (3) the time and date of the violation; and (4) to the extent possible, the location of the violation.

Unless the driver receives a citation from a police officer at the time of the violation, the owner of the vehicle is subject to a civil penalty if the vehicle is recorded by a school bus monitoring camera. (If the District Court finds that the person named in the citation – the owner – was not operating the vehicle at the time of the violation or receives evidence identifying the driver, the law enforcement agency may issue a citation to the operator of the vehicle instead.) The civil penalty may not exceed \$500. The District Court must prescribe a uniform citation form and a civil penalty that may be paid if the person chooses to prepay the civil penalty without appearing in District Court.

From the fines collected, a political subdivision may recover the costs of implementing and administering the school bus monitoring cameras and may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

**Local Fiscal Effect:** Although Montgomery County can meet the bill's reporting requirements with existing resources, the bill also requires the county to implement operational alternatives for school bus stop locations that have high numbers of violations. The exact alternatives that may be selected by the county under the bill cannot be determined at this time, as the county must first examine the affected school bus stops prior to developing and implementing operational alternatives. However, MCDOT advises the bill has an impact on local finances. For example, new printing costs under the bill (*e.g.*, printing citations in multiple languages) and additional outreach costs could total between \$60,000 and \$300,000 annually. Additional costs may be incurred for signage changes. Most such costs are assumed to be incurred in fiscal 2023 and 2024.

The requirement to examine and implement alternative penalties so as to not financially penalize a driver for a first violation (which could be interpreted as requiring that warnings be issued) may have a significant impact on county revenues. *For illustrative purposes*, MCDOT advises that issuing only warnings for a first violation could reduce net revenues by about \$3.8 million annually based on fiscal 2020 data. While the bill requires the county to examine alternative penalties for a first offense, it does not specifically *require* issuing only a warning. Furthermore, the many specified measures to be examined and possibly implemented are intended to improve safety and reduce the number of violations. Accordingly, revenues from fines are likely significantly reduced regardless of whether warnings are issued. Any such revenue impact is likely ongoing.

## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - March 10, 2022  
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