

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 469 (Delegates Carr and Lehman)
Environment and Transportation

**Motor Vehicle Administration - Traffic Control Signal Monitoring Systems -
Reciprocal Agreements**

This bill authorizes the Motor Vehicle Administration (MVA) to enter into an agreement with another jurisdiction that allows reciprocal enforcement of violations recorded by a traffic control signal monitoring system (*i.e.*, a red light camera system).

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase if reciprocal agreements are entered into under the bill. TTF revenues increase to the extent additional flag fees are placed on vehicle registrations as a result of out-of-state violations.

Local Effect: Local revenues increase to the extent a reciprocal agreement results in higher rates of compliance by out-of-state red light camera violators. Expenditures may increase for implementation.

Small Business Effect: Minimal.

Analysis

Bill Summary: An agreement made pursuant to the bill's authorization must provide that, while in another jurisdiction, drivers licensed and vehicles registered in Maryland enjoy similar benefits, privileges, and exemptions with regard to red light camera enforcement as the benefits, privileges, and exemptions extended to drivers and vehicles licensed or registered in the other jurisdiction while in Maryland.

An agreement may allow for the refusal of the registration of a motor vehicle for which a violation is recorded by a red light camera system.

The bill prohibits MVA from entering into an agreement with another jurisdiction if the penalty for a red light camera violation in that jurisdiction exceeds the penalty for a red light camera violation in Maryland by more than 50%.

A political subdivision for which a red light camera system is operated and maintained at an intersection under the control of that jurisdiction must coordinate with MVA to facilitate the reciprocal enforcement of red light camera violations.

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. 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/Local Fiscal Effect: MVA advises that TTF revenues and expenditures are affected if reciprocal agreements are entered into. While red light camera revenues are paid to local governments, TTF revenues also increase due to the placement of additional administrative flag fees. Under the bill, MVA is authorized to refuse a registration renewal for a vehicle owner who fails to pay a red light camera violation to an out-of-state jurisdiction. Accordingly, TTF revenues increase to the extent additional vehicles are reported to MVA and flagged for noncompliance. Based on limited data from the District of Columbia, MVA assumes as many as 150,000 vehicles could be reported annually if there were reciprocity with all neighboring states and the district. However, the Department of Legislative Services advises that the number depends on the reciprocal agreements entered into and the level of red light camera violation noncompliance by Maryland drivers in other jurisdictions – which could improve under the bill.

MVA advises additional personnel are likely needed, based on the volume of out-of-state administrative flags that will need to be placed on vehicle registrations under reciprocal agreements. However, it is unclear whether permanent staff or temporary contractual support would be more appropriate to handle the higher volume of administrative flags –

as staffing needs depend on the reciprocal agreements entered into and the level of noncompliance that results in flag requests from other states and/or the District of Columbia. Regardless, TTF expenditures are primarily affected in the first year of implementation (presumably in fiscal 2023); out-year costs may be mitigated to the extent compliance improves. In the first year only, minimal reprogramming expenditures are also needed.

Local governments are also affected by any reciprocal agreements entered into under the bill. Currently, an out-of-state violator who fails to pay a red light camera citation to a local government is not subject to denial of registration renewal. Under the bill, however, an out-of-state violator who fails to pay a red light camera ticket could be subject to denial of registration renewal. As a result, out-of-state vehicle owners are expected to be more likely to pay red light camera violations in Maryland. Because of this, red light camera revenues for local jurisdictions are expected to increase under the bill.

Nevertheless, the increase in revenues may be somewhat offset by implementation costs. Local governments would need to work with MVA to report out-of-state violators. MVA would presumably then notify the other jurisdiction on behalf of the local government. Any local implementation costs cannot be determined until a system is put in place by MVA and reciprocal agreements are reached with other jurisdictions.

Additional Information

Prior Introductions: HB 373 of 2020, a nearly identical bill, received an unfavorable report from the House Environment and Transportation Committee.

Designated Cross File: None.

Information Source(s): Kent, Washington, and Worcester counties; Comptroller's Office; Maryland Department of Transportation; Department of Legislative Services

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Analysis by: Eric F. Pierce

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