

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 11

(Senator Sydnor)

Judicial Proceedings

Environment and Transportation

Motor Vehicles - Establishment of School Zones

This bill generally requires a school zone to (1) be adjacent to a school and (2) not exceed 500 feet approaching or beyond the school building or “school grounds.” These requirements apply unless otherwise recommended by a traffic engineering study. As under current law, in any school zone where a school crossing guard is posted to assist students in crossing a highway, the maximum speed limit may not exceed 35 miles per hour in the school zone during the hours posted on signs designating the school zone. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund revenues decrease, likely minimally, as discussed below. Likewise, the District Court may realize minimal efficiencies due to fewer contested cases. Transportation Trust Fund (TTF) expenditures increase by approximately \$57,000 in FY 2024 only, as discussed below.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
GF Revenue	(-)	(-)	(-)	(-)	(-)
SF Expenditure	\$57,000	\$0	\$0	\$0	\$0
Net Effect	(-)	(-)	(-)	(-)	(-)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local expenditures increase, potentially significantly, to alter infrastructure and relocate existing equipment and signage as well as for traffic engineering studies if local governments seek to maintain current boundaries under the existing half-mile radius authorization. Local enforcement procedures may also need to be modified, as discussed below. Local revenues likely decrease significantly, potentially mitigated to the extent local jurisdictions maintain current school zone boundaries through traffic engineering studies.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: The bill defines several terms related to school zones while also altering the current statutory definition of a “school zone.”

- “School” means an accredited public, parochial, or private learning institution offering instruction in any grade from kindergarten through grade 12.
- “School grounds” means school property that students routinely occupy within a school zone.
- “School-related activity” means (1) travel by students to or from school on foot or by bicycle or (2) the dropping off or picking up of students by school buses or other vehicles.

The bill alters the definition of “school zone” to mean a designated roadway segment within up to a half-mile radius of a school:

- approaching, adjacent to, and beyond school grounds, or in an area where school-related activity occurs;
- established by official action by the State Highway Administration (SHA) or a local authority; and
- that is appropriately designated by signs posted in accordance with (1) the *Maryland Manual on Uniform Traffic Control Devices* and (2) SHA guidance.

As noted above, although the bill continues to authorize a school zone to be designated within up to a half-mile radius of any school, the bill *generally* has the effect of limiting a school zone to an area adjacent to a school and *within 500 feet* approaching or beyond the school building or school grounds. A school zone may exceed those parameters *only if recommended by a traffic engineering study*.

Current Law:

School Zones – Generally

“School zone” means a designated roadway segment within a half-mile radius of a school for any of grades kindergarten through 12 where school-related activity occurs, including travel by students to or from school on foot or by bicycle or the dropping off or picking up of students by school buses or other vehicles.

Generally, within a half-mile radius of any school, SHA or a local authority (1) may establish a school zone and maximum speed limits applicable to the school zone and (2) may provide that fines are doubled for speeding violations within the school zone,

subject to specified signage requirements. SHA may establish a school zone on any State highway or on any highway under a local authority's jurisdiction – upon request of the local authority. A local authority may also establish a school zone on any highway under its jurisdiction. Additional requirements apply for municipal corporations in Prince George's County.

Numerous requirements apply to the placement of signage in school zones. A local authority (or SHA, as appropriate) (1) must place signs designating the school zone and (2) may place other traffic control devices (including timed flashing warning lights). The signs must indicate the maximum speed limit applicable in the school zone. A maximum speed limit in a school zone is established and in effect when posted on appropriate signs giving notice of the limit.

A person is prohibited from driving a motor vehicle at a speed exceeding the posted speed limit within a school zone established in accordance with the above signage requirements. A person convicted of a violation is subject to a fine of up to \$1,000 (*i.e.*, if issued a ticket by a police officer).

Speed Monitoring Systems

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 SHA.

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

The civil penalty for a citation issued through a speed monitoring system is capped at \$40 and is payable to the political subdivision operating the speed monitoring system; otherwise, the citation may be contested in District Court.

State Fiscal Effect:

Fine Revenues and Impact on the District Court

Assuming the bill has the effect of limiting the overall number of school zone speed cameras in the State (due to the smaller default placement borders permitted under the bill),

the number of citations issued in local jurisdictions likely decreases significantly. Citations from school zone speed cameras may not be issued for those cameras currently out of compliance with the bill's parameters until the zone is either (1) reconfigured and the cameras and related equipment and signage are relocated or (2) maintained after a traffic engineering study is completed and recommends the current placement. As a result, the number of individuals opting for a trial in District Court may similarly decrease. Fine revenues paid by individuals convicted in District Court are paid into the general fund.

Additionally, citations issued manually by police officers (*i.e.*, in jurisdictions without speed monitoring systems) may also decrease, given the smaller default enforcement area; uncontested fines associated with those citations are paid into the general fund as well. However, the current number of citations that are manually issued in areas that would fall outside the 500-foot area generally permitted under the bill cannot be determined at this time.

The Judiciary advises that the number of cases currently heard in District Court from citations issued by police officers for speeding in school zones is relatively small (178 District Court filings in fiscal 2022, with only 21 trial convictions). The Judiciary does not track the number of cases that result from appeals of automated enforcement citations in school zones. While the overall number of trials requested likely decreases under the bill (both from manual citations and contested automated enforcement citations), general fund revenues received from such cases are assumed to be minimal. Thus, the overall impact on general fund revenues is assumed to be a minimal decrease.

Further, while District Court caseloads likely decrease under the bill, this is not expected to have any significant effect on court operations.

State Highway Administration One-time Expenditures

SHA advises that its current policy for school zone speed camera placement (*i.e.*, on State highways that fall within a school zone) is that the school zone should not exceed 500 feet approaching or beyond the school (or school activity). Thus, the bill is not expected to affect this policy, as the bill generally conforms to those parameters (*i.e.*, unless otherwise recommended by a traffic engineering study). However, under the bill, SHA will need to review each school zone located on State highways for compliance. Specific TTF expenditures related to implementing the bill's changes include:

- traffic control device adjustments (\$9,000);
- modification of the *Maryland Manual on Uniform Traffic Control Devices* (\$4,800);
- automated speed enforcement guidance updates (\$7,200); and
- district traffic review of school zones (\$36,000).

Local Revenues: As noted above, the bill is expected to result in an overall reduction in the number of school zone speed cameras in the State, as the authorized placement area decreases substantially under the bill (*i.e.*, in the absence of traffic engineering studies that result in the widespread maintenance of half-mile radius school zones). However, the exact reduction in the number of speed cameras (and the associated revenue decrease) cannot be reliably estimated without additional information (*e.g.*, the total number of speed cameras that are currently located in areas outside of the new default borders established under the bill and how many of those cameras would be relocated – rather than deactivated entirely – after the bill takes effect).

Given that the authorization for school zone speed cameras has been in effect since 2006 in some locations, it is likely that the number of cameras in such areas is substantial, and that many of them may be located outside of the 500-foot area generally permitted under the bill. Therefore, the Department of Legislative Services assumes that local revenues likely decrease significantly under the bill due to a smaller zone in which citations may be issued by the cameras. Further, local revenues generated from any school zone speed cameras that need to be relocated are eliminated entirely during the period in which those school zones are being reconfigured and the speed cameras and related equipment and signage are moved.

To the extent local jurisdictions conduct traffic engineering studies that result in widespread maintenance of current school zones (*i.e.*, school zones within the current statutorily authorized half-mile radius), revenues may be significantly less affected. However, until such studies can be completed, this analysis assumes that the affected speed cameras must be temporarily deactivated, thereby eliminating any revenues that would otherwise be generated during that period due to citations not being issued.

This analysis assumes that the existing prohibition against issuing citations for the first 15 calendar days after signage is installed when a speed camera has been moved to another location does *not* apply for any speed cameras that are relocated within the same, albeit smaller, school zone under the bill. Otherwise, local revenues decrease further after the speed cameras are relocated and reactivated.

Local Expenditures: Counties and municipalities may incur significant expenditures to relocate existing cameras and to alter the accompanying infrastructure. The Maryland Association of Counties advises that local governments may need to reconfigure existing fixed and mobile speed cameras and nearby infrastructure. Montgomery County specifically advises that there are approximately 214 school zones in the county and that the overall cost to move existing equipment, alter infrastructure, and replace signage may total about \$1 million. Similar costs are assumed to be incurred in other large jurisdictions with comparable numbers of school zone speed cameras. Nevertheless, these expenditures may be significantly reduced to the extent traffic engineering studies are conducted and

recommend maintaining current school zone borders. Even so, local jurisdictions incur costs to complete the studies. The costs to do so may be significant, depending on the number of school zones requiring such studies.

In jurisdictions that do not operate speed monitoring systems in school zones, required signage for school zones may likewise need to be moved and enforcement procedures may need to change to comply with the smaller school zones permitted under the bill. Current school zone speeding enforcement procedures (and the areas enforced) likely vary by jurisdiction. Thus, the number of jurisdictions that may need to move signage and related infrastructure and shift manual enforcement activities cannot be determined at this time. Again, to the extent traffic engineering studies conducted by local governments result in maintenance of existing school zone borders, the effect on enforcement may be less pronounced.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Frederick, Montgomery, and Somerset counties; Town of Leonardtown; Maryland Association of Counties; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Maryland State Department of Education; 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