

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 303

(Senator Mautz)

Judicial Proceedings

Environment and Transportation

Talbot County - Speed Monitoring Systems - Intersection of Maryland Route 333
(Oxford Road) and Bonfield Avenue

This bill authorizes the placement of one speed monitoring system (speed camera) at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue (in Talbot County), subject to existing signage and placement requirements for speed cameras. The bill also requires a real-time display of a driver's traveling speed. From the fines collected as a result of violations enforced by the speed camera, any balance remaining after cost recovery must be remitted to the Comptroller for subsequent distribution to the Town of Oxford to be used solely to assist in covering the cost of roadway and pedestrian safety improvements in the Town of Oxford. **The bill terminates September 30, 2028.**

Fiscal Summary

State Effect: State finances and operations are not materially affected. Nevertheless, general fund revenues may increase negligibly from FY 2024 to 2029 due to additional contested cases in District Court.

Local Effect: Local revenues for the Town of Oxford increase from FY 2024 to 2029 to the extent the speed camera is placed as authorized, as discussed below. Expenditures increase for implementation costs as well as for roadway and pedestrian safety improvements in the Town of Oxford.

Small Business Effect: Potential minimal.

Analysis

Current Law: 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 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 the State Highway Administration (SHA). Additional restrictions apply in Prince George's County. Also, in specified locations, each sign indicating the use of a speed camera must be near a device that displays a real-time posting of the driver's speed.

An authorizing ordinance or resolution adopted by the governing body of a local jurisdiction must establish certain procedures related to the movement or placement of speed monitoring systems. Specifically, if a jurisdiction moves (or places) a mobile (or stationary) speed monitoring system to (or at) a new location, the jurisdiction may not issue a citation for a violation recorded by that speed monitoring system (1) until signage is installed, as specified, and (2) for at least the first 15 calendar days after the signage is installed.

From the fines (up to \$40 per violation) generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may, with limited exceptions, spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. For certain speed camera authorizations, the remaining balance after cost recovery is instead distributed to SHA to assist in covering the costs related to roadway and pedestrian safety improvements in the area of the speed camera.

State/Local Fiscal Effect: Under the bill, the number of citations issued in the Town of Oxford is expected to increase. As a result, the number of individuals opting for a trial in District Court is also likely to increase. Accordingly, general fund revenues may increase negligibly, as fine revenues paid by individuals convicted in District Court are paid into the general fund. The increase in District Court caseloads can be handled with existing resources.

Local revenues for the Town of Oxford increase from fiscal 2024 to 2029 to the extent that the speed camera is placed as authorized by the bill.

Likewise, if the authorization is used, expenditures increase over the same time period to procure, install, and maintain the additional camera and the real-time speed monitoring device. Based on historical data and the use of speed camera systems in the State to date, the increase in revenues is likely to exceed the increase in expenditures. After cost recovery, the remaining revenues must ultimately be distributed to the Town of Oxford, which must then make the required improvements specified by the bill.

Although the exact increase in revenues cannot be projected because the number of citations that might be issued in the area affected by the bill is unknown, *for illustrative purposes only*, revenues increase by \$71,175 in fiscal 2024 (reflecting the bill's October 1, 2023 effective date), by \$94,900 from fiscal 2025 through 2028, and by \$23,725 in fiscal 2029 (due to the bill's September 30, 2028 termination date) under the following assumptions:

- one speed camera is placed in the area authorized by the bill;
- the speed camera captures an average of 10 violations per day;
- 65% of violators prepay the fine (at \$40); and
- 35% of violators contest the citation in District Court.

Also, under this scenario, a portion of the revenues would be retained for cost-recovery purposes, while any remaining balance would be used by the Town of Oxford for roadway and pedestrian improvements, as required by the bill.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1262 of 2022 and HB 1132 of 2020.

Designated Cross File: HB 700 (Talbot County Delegation) - Environment and Transportation.

Information Source(s): Comptroller's Office; Maryland Department of Transportation; Department of Legislative Services

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