

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 492 (Delegate Rosenberg, *et al.*)
Environment and Transportation

Baltimore City - Speed Monitoring Systems on Interstate 83 - Unpaid and
Overdue Citations

This bill requires Baltimore City, for the purpose of imposing administrative sanctions under current statutory provisions, to notify the Motor Vehicle Administration (MVA) if an owner or a driver of a vehicle has accumulated more than \$250 in unpaid and overdue citations recorded by speed monitoring systems on Interstate 83 in Baltimore City.

Fiscal Summary

State Effect: MVA can make necessary reprogramming with existing resources. Revenues are not anticipated to be materially affected.

Local Effect: Baltimore City revenues increase to the extent additional speed camera citations are satisfied due to administrative sanctions imposed by MVA, as discussed below. To the extent additional citation revenues are collected, additional funds may be available for roadway improvements on Interstate 83 in Baltimore City (pursuant to the current authorization for speed cameras on Interstate 83).

Small Business Effect: None.

Analysis

Current Law:

Effect of Parking Violation on Vehicle Registration

MVA may not *register or transfer* the registration of any vehicle involved in specified violations (*e.g.*, parking violations and certain violations related to automated enforcement systems) if it is notified by (1) a political subdivision (or authorized State agency) that the

person cited has failed to either pay the fine or file a notice to stand trial; (2) the District Court that a person who has elected to stand trial for the relevant violation has failed to appear for trial; or (3) a U.S. District Court that a person cited for a violation under a federal parking regulation has failed to pay the fine as required or has failed either to file notice of intent to stand trial or (if electing to stand trial) to appear for trial.

Despite the above requirements, MVA may *suspend* the registration of a vehicle involved in a specified parking violation if notified in accordance with the above requirements that the violator is a chronic offender. MVA may adopt rules and regulations to define “chronic offender” and develop procedures to carry out the suspension of a registration as authorized. Citations issued by speed monitoring systems are generally treated as parking violations.

MVA must continue the suspension and refusal to register or transfer a registration of the vehicle until notified by the appropriate entity that the charge has been satisfied (or the person cited pleaded guilty and paid the fine, if applicable). If the registration of the vehicle has been suspended due to chronic offenses, a person may not drive the vehicle on any highway in the State.

The procedures noted above are *in addition to* any other penalty provided by law for the failure to pay a fine or stand trial for a parking violation. MVA must adopt procedures by which political subdivisions, State agencies, the District Court, and the U.S. District Court must notify it of any restrictions and any rescission of restrictions placed on the registration of vehicles pursuant to these requirements.

In addition to any other fee or penalty provided by law, an owner of a vehicle who is denied registration of the vehicle under the provisions noted above must pay a fee established by MVA before renewal of the registration of the vehicle. The fee (1) may be distributed in part to a political subdivision acting as an agent of MVA in the registration of a vehicle if, based upon information provided to MVA by the political subdivision, the vehicle’s prior registration was suspended or the vehicle’s registration renewal was denied and (2) except as noted above, must be retained by MVA and may not be credited to the Gasoline and Motor Vehicle Revenue Account.

Interstate 83 Speed Cameras

Chapter 628 of 2021 authorizes Baltimore City to place two speed monitoring systems (speed cameras) on Interstate 83, subject to existing signage and placement requirements for speed cameras. The Act also requires a real-time display of a driver’s traveling speed. From the fines collected as a result of violations enforced by speed cameras on Interstate 83, any balance remaining after cost recovery must be remitted to the Comptroller for distribution to the Baltimore City Department of Transportation to then be

used solely to assist in covering the cost of roadway improvements on Interstate 83 in Baltimore City. Fines remitted pursuant to this authorization are supplemental to (and not intended to take the place of) funding that would otherwise be appropriated for the same purposes.

Speed Cameras (Generally)

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 State Highway Administration. Similar requirements apply to speed cameras established on Maryland Route 210 (Indian Head Highway), grounds of institutions of higher education in Prince George's County, Interstate 83 in Baltimore City, Maryland Route 175 in Anne Arundel County (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County-Howard County line, and at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County.

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.

If a person liable does not pay the civil penalty or contest the violation, MVA may refuse to register or reregister the motor vehicle cited for the violation.

Generally, from the fines generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. However, if the balance of revenues after cost recovery for any fiscal year is greater than 10% of the jurisdiction's total revenues, the excess must be remitted to the Comptroller.

Local Revenues: Baltimore City notes that, as of January 2024, the rolling collection rate for violations captured on Interstate 83 by speed cameras is 65.7%. Since Interstate 83 speed monitoring systems were authorized, Baltimore City also notes that approximately 409,500 citations have been issued, with approximately 269,200 of them satisfied. In

comparison, the same collection rate for school zone speed cameras is 72.7% since 2017. Baltimore City advises that the bill may impact local revenues by increasing payment rates by chronic offenders as they seek to renew their vehicle registrations (but will be unable to do so until satisfying the unpaid citations).

As noted above, under current statutory provisions, MVA retains the ability to suspend the registration of a vehicle involved in specified parking violations (including certain automated enforcement citations) if notified in accordance with the relevant requirements that the violator is a chronic offender. Baltimore City anticipates registration suspensions under the chronic offender provision (to the extent MVA utilizes the authorization to a greater degree under the bill) may further incentivize more vehicle owners to satisfy unpaid citations. Further, Baltimore City advises that it already notifies MVA regarding unpaid violations of school zone speed cameras, red light cameras, and other parking violations. Assuming collection rates increase to a level commensurate with collection rates for similar programs (*e.g.*, the school bus monitoring camera program, as noted above), local revenues may increase significantly – perhaps by several hundred thousand dollars annually, even assuming driver behavior continues to adapt to the speed cameras (resulting in fewer citations issued overall).

In total, Baltimore City estimates local revenues may increase by as much as \$661,000 annually under the bill. Any additional citation revenues collected under the bill are assumed to be used in accordance with the requirements of Chapter 628, which requires fines collected to be remitted to the Comptroller for subsequent distribution to the Baltimore City Department of Transportation for roadway improvements on Interstate 83 in Baltimore City.

This analysis assumes that MVA utilizes its authority to suspend the vehicle registrations of chronic offenders reported by Baltimore City, as local governments are *already* authorized to notify MVA regarding unpaid automated enforcement citations, at which time MVA flags the vehicle's registration and refuses to transfer, register, or reregister (but not suspend) the vehicle registration in question until any citations are satisfied. Any vehicle registrations of chronic offenders suspended under the bill may increase the rate of collection, although any such impact is speculative and can only be determined with experience under the bill.

Additional Information

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

Designated Cross File: None.

Information Source(s): Baltimore City; Comptroller's Office; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2024
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