

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 118

(Senator Waldstreicher)

Judicial Proceedings

Rules and Executive Nominations

Motor Vehicles - Speed Monitoring Systems - Penalties

This bill repeals a statutory provision that sets a maximum amount of \$40 for the civil penalty that is imposed on the owner or driver of a motor vehicle that exceeds a posted speed limit and is recorded by a speed monitoring system. Instead, the bill establishes an escalating penalty structure, with a *maximum* penalty that ranges from \$40 to \$425 for the offense, depending on the excessiveness of the speed violation. The bill also requires the State Highway Administration (SHA) to convene a workgroup to study best practices regarding speed monitoring systems in school zones. By December 1, 2025, SHA must submit its findings and recommendations to the Governor and the General Assembly.

Fiscal Summary

State Effect: General fund and Transportation Trust Fund (TTF) revenues increase, potentially significantly, due to the increased civil penalties authorized by the bill and additional contested cases in District Court beginning in FY 2026; TTF expenditures increase correspondingly as the additional revenues are used for authorized purposes. The effects on TTF terminate in FY 2029. TTF expenditures also increase by \$75,000 in FY 2026 for consultant costs, as discussed below. General fund expenditures for the Judiciary increase by \$33,600 in FY 2026 for one-time programming costs.

Local Effect: Local revenues increase, potentially significantly, beginning in FY 2026 due to the increased civil penalties authorized by the bill; expenditures increase correspondingly.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Speed Monitoring System Penalties

The bill establishes an escalating penalty structure for the *maximum* penalty for speeding violations, which increases based on the speed recorded by a speed monitoring system in excess of the posted speed limit, as shown in **Exhibit 1**.

Exhibit 1
Penalty Structure for Violations Recorded by Speed Monitoring Systems
Effective October 1, 2025

<u>Exceeding the Speed Limit by:</u>	<u>Maximum Penalty</u>
12 - 15 MPH, inclusive	\$40
16 - 19 MPH, inclusive	70
20 - 29 MPH, inclusive	120
30 - 39 MPH, inclusive	230
40 or more MPH	425

MPH: miles per hour

Source: Department of Legislative Services

Speed Monitoring System Workgroup

SHA must convene a workgroup to study best practices regarding speed monitoring systems in school zones. The study of the workgroup must assess:

- the existing policies regarding speed monitoring systems in school zones;
- whether the current radius in which speed monitoring systems are allowed in school zones is consistent with best practices;
- the annual number of serious traffic incidents that occur within the current radius in which speed monitoring systems are allowed in school zones, by jurisdiction;
- the average distance that each speed monitoring system within a school zone is located from the property line of the school with which it is associated, by county; and
- any other best practices regarding the use of speed monitoring systems in school zones.

The study of the workgroup must include relevant local education stakeholders, including local governments, local law enforcement, and any other participants necessary to fully represent the interests of student pedestrians in school zones.

Current Law:

Speed Monitoring Systems – Generally

State law authorizes the use of various automated monitoring systems, including traffic control system monitoring systems, speed monitoring systems, school bus monitoring systems, vehicle height monitoring systems, and work zone speed control 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. 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.

Speed Monitoring Systems – Citations and Fines

Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a speed monitoring system while exceeding the posted speed limit. The authorized agency (*e.g.*, a local law enforcement agency) must mail a citation to the owner that includes specified information, including a copy of the recorded image, the location where the violation occurred, and the amount of the civil penalty

imposed and the date by which the civil penalty should be paid. A person who receives a citation may:

- pay the civil penalty, in accordance with the instructions on the citation, directly to the political subdivision; or
- elect to stand trial in the District Court for the alleged violation.

The civil penalty may not exceed \$40, and the District Court must prescribe:

- a uniform citation form that includes specified information and allows the person receiving the citation to pay the citation or contest the citation by standing trial, as specified; and
- a civil penalty, which must be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

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.

Speed Cameras on Maryland Route 210 in Prince George's County

Chapter 806 of 2018 authorized Prince George's County, for five years, to place one speed camera at the intersection of Old Fort Road and Maryland Route 210, subject to specified requirements. Chapter 586 of 2019 repealed the limitation on the specific location of that speed camera and increased, to three, the number of speed cameras that could be placed on Maryland Route 210 in the county until the initial authorization terminated (originally September 30, 2023). Chapter 606 of 2023 again increased the number of speed cameras that may be placed on Maryland Route 210 (from three to six) and extended the termination date of the original authorization by five years (through September 30, 2028).

Also, pursuant to Chapter 147 of 2020, fines collected by Prince George's County as a result of violations enforced by speed cameras on Maryland Route 210 must be remitted to SHA for specified activities after cost recovery. (This requirement replaced a provision of Chapter 806 that required the fine revenues to be deposited into the Criminal Injuries Compensation Fund.) SHA must solely use the fine revenues to assist in covering the costs of (1) examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210; (2) reporting its findings and recommendations on any solutions to these safety issues; and (3) implementing any solutions to these safety issues.

Work Zone Speed Control Systems

Chapter 17 of 2024 made various changes to the *State's* work zone speed control systems program by, among other things, increasing civil penalties for violations captured by work zone speed cameras and establishing an escalating penalty structure for violations captured by work zone speed cameras (effective January 1, 2025). **Exhibit 2** shows the escalating penalty structure established by Chapter 17.

Exhibit 2 **Penalty Structure for Violations Recorded by Work Zone Speed Control Systems** **Effective January 1, 2025**

<u>Exceeding the Speed Limit by:</u>	<u>Base Amount</u>	<u>Penalty</u> <u>With Workers Present</u>
12 - 15 MPH, inclusive	\$60	\$120
16 –19 MPH, inclusive	80	160
20 - 29 MPH, inclusive	140	280
30 - 39 MPH, inclusive	270	540
40 or more MPH	500	1,000

MPH: miles per hour

Note: Penalties are doubled for a violation recorded when workers are present in a work zone.

Source: Department of Legislative Services

State Revenues: Total revenues from violations recorded by a speed monitoring system are anticipated to increase due to the escalating penalties authorized by the bill. With higher fines, a greater percentage of individuals is expected to contest citations and, as a result, the number of trials in the District Court likely increases. Although most individuals issued citations are expected to fall into the lower categories under the tiered penalty system (and be issued citations for, at most, \$40 or \$70 fines), individuals who receive citations for the highest categories of speeding may pay considerably higher penalties than the \$40 fine generally imposed under current law. Those individuals are assumed to be much more likely to contest a citation and, as a result, pay those much higher fines into the general fund (assuming they are found guilty after a trial).

Additionally, because the bill affects fines paid from violations recorded by speed cameras on Maryland Route 210 in Prince George's County (and revenues from those cameras must accrue to TTF), TTF revenues increase as well.

While there is insufficient data on speed camera violations and the associated revenues for a reliable estimate (and the ultimate increase in revenues depends on the fines established by the District Court under the bill), given the substantial potential increase in the penalty for some violations, the impact on the general fund and TTF *may* be significant.

State Expenditures:

Speed Monitoring System Workgroup

In the execution of its duties, SHA often engages expert consultants to handle research, evaluation, studies, and staffing duties. To meet the bill's requirements within the timeframe allotted by the bill, SHA anticipates engaging a consultant to staff the workgroup and complete the study required by the bill. Therefore, TTF expenditures increase by \$75,000 in fiscal 2026 only for consultant services.

Speed Camera Penalties

General fund expenditures for the District Court increase for programming changes necessary to modify its penalty schedule to meet the bill's requirements. Programming-related costs total an estimated \$33,596 in fiscal 2026. As noted above, the increased penalties authorized by the bill likely result in additional cases before the District Court as individuals receiving citations contest the case to avoid paying the higher penalties. It is anticipated, however, that the Judiciary can handle any increased case volume using existing budgeted resources.

TTF expenditures increase correspondingly to the increase in TTF revenues from speed cameras on Maryland Route 210 in Prince George's County as these additional revenues are used in the manner authorized under current law.

Local Fiscal Effect: Local revenues increase, potentially significantly, beginning in fiscal 2026 to the extent that the higher penalties (for certain violations) authorized by the bill are imposed and begin to be paid. While there is insufficient data on speed camera violations and the associated revenues for a reliable estimate of the impact on local governments (and the ultimate impact depends on the prepayment penalties established by the District Court and the deterrent effect of higher penalties), the increase may be significant for some local jurisdictions that operate multiple speed monitoring systems.

Nevertheless, data from Baltimore City on its school zone and Interstate 83 speed camera programs is instructive as to the potential impact on local governments. Baltimore City advises that most violations recorded by its speed cameras are for exceeding the speed limit by between 12 and 15 miles per hour (MPH) (77.1% of violations in school zones and 70.3% of violations on Interstate 83), for which the maximum penalty is unchanged by the

bill. The next largest share of violations is for exceeding the speed limit by between 16 and 19 MPH (17.3% and 20.5% of violations in school zones and on Interstate 83, respectively). Thus, *for illustrative purposes only*, assuming a similar rate and volume of such violations and continued prepayment but at the maximum fine of \$70, Baltimore City could realize about \$3.5 million in additional fine revenue annually – from that set of violations alone. However, to the extent that *other* violations – those recorded at even higher speeds for which the fines may be significantly greater – are contested in District Court rather than prepaid (as they might have been under the much lower current law penalty), as much as \$1.8 million in fine revenue currently realized by the city might not be. Instead, the total increase in fine revenue for Baltimore City might be only \$1.7 million annually – the difference between the additional revenue realized for the lower tier speeding violations and the foregone revenue from higher tier speeding violations due to the likelihood of those citations being contested. The actual impact also depends on the deterrent effect of the higher penalties, which could result in significantly fewer violations.

Local expenditures increase correspondingly as the speed monitoring system revenues become available for local public safety programs (the only authorized use of these revenues for local governments).

Additional Information

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

Designated Cross File: HB 182 (Delegate Stewart, *et al.*) - Environment and Transportation.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Comptroller's Office; Maryland Association of Counties; Calvert, Cecil, Frederick, Howard, Montgomery, and Prince George's counties; Baltimore City; Department of Legislative Services

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