

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 118 (Senator Waldstreicher)
 Judicial Proceedings

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 that ranges from \$40 to \$350, depending on the excessiveness of the speed violation. The bill also repeals a requirement that the District Court *prescribe* a civil penalty for such violations, to be indicated on a citation and paid by persons who choose to prepay the civil penalty without appearing in District Court.

Fiscal Summary

State Effect: General fund revenues increase, potentially significantly, due to higher penalty provisions and additional contested cases in District Court beginning in FY 2026. General fund expenditures for the Judiciary increase by \$33,600 in FY 2026 for one-time programming costs.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
GF Revenue	-	-	-	-	-
GF Expenditure	\$33,600	\$0	\$0	\$0	\$0
Net Effect	-	-	-	-	-

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

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

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill establishes an escalating penalty structure 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>Penalty</u>
12 - 15 MPH, inclusive	\$40
16 - 19 MPH, inclusive	55
20 - 29 MPH, inclusive	95
30 - 39 MPH, inclusive	180
40 or more MPH	350

MPH: miles per hour

Source: Department of Legislative Services

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 the 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.

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.

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 penalty structure established 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 \$40 or \$55 fines), individuals who receive citations for the highest categories of speeding 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 found guilty after a trial). Additionally, because the bill establishes fixed (rather than maximum) penalties, any violators found guilty after a trial must pay the penalty that applies to the speed at which they were issued the citation. Thus, in contrast to current law, judges may not use discretion when imposing a fine after a guilty disposition, which may further increase general fund revenues.

While there is insufficient data on speed camera violations and the associated revenues for a precise estimate, given the substantial increase in the penalty for some violations, the impact on the general fund *may* be significant.

State Expenditures: General fund expenditures for the District Court increase for programming changes necessary to modify its penalty fee schedule to meet the bill's requirements. Programming-related costs total an estimated \$33,596 in fiscal 2026.

As noted above, the increased penalties established 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.

Local Revenues: Local revenues increase, potentially significantly, beginning in fiscal 2026 as the higher penalties (for certain violations) established by the bill begin to be paid. While there is insufficient data on speed camera violations and the associated revenues for a precise estimate of the impact on any local government, the increase may be significant for some local jurisdictions that utilize multiple speed monitoring systems.

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 Comments: The bill repeals § 21-809(c)(3)(ii), which references the requirement for the District Court to prescribe a civil penalty *to be paid by persons who choose to prepay the civil penalty without appearing in District Court*. However, the bill does not repeal § 21-809(d)(5), which explicitly authorizes a person who receives a citation to pay the civil penalty directly to the political subdivision in accordance with instructions on the citation. This analysis, therefore, assumes that persons may continue to prepay any penalty associated with speed monitoring systems. Should, however, the bill's repeal of § 21-809(c)(3)(ii) be interpreted as requiring all individuals who receive a citation to appear in the District Court, local government revenues would decrease significantly, and general fund revenues would increase correspondingly since penalties paid by those convicted in the District Court accrue to the general fund. General fund expenditures for the Judiciary would likely increase significantly to accommodate a substantially higher volume of traffic cases.

Additional Information

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

Designated Cross File: HB 182 (Delegate Stewart) - 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; Department of Legislative Services

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