

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 921

(Senators Harris and Charles)

Judicial Proceedings

Traffic Control Signal Monitoring and Speed Monitoring Systems - Exemptions
From Liability - Vehicle Rental Companies

This bill modifies the definition of “owner” as it relates to the registered owner of a motor vehicle being liable for the payment of a fine resulting from a citation issued through the use of a traffic control signal monitoring system or a speed monitoring system. As a result of the modifications, the bill repeals the exemption from liability that applies for the lessee of a motor vehicle under a lease of *less than six months*, in addition to motor vehicle rental companies, motor vehicle leasing companies, or holders of certain special registration plates (*e.g.*, motor vehicle dealer and transporter registration plates).

Fiscal Summary

State Effect: General fund, special fund, and nonbudgeted revenues likely increase annually beginning in fiscal 2027 due to the repeal of the exemptions, as discussed below. Special fund expenditures increase accordingly in some cases, as discussed below.

Local Effect: Local government revenues and expenditures likely increase due to the repeal of the exemptions, as discussed below.

Small Business Effect: Potential minimal.

Analysis

Current Law:

Automated Enforcement – Liability

Generally, the person liable for the payment of a fine resulting from a citation issued for a violation of the Maryland Vehicle Law recorded and cited through the use of an automated enforcement system is the “owner” of the motor vehicle involved in the violation. However, there are various exceptions to this requirement because the person driving a motor vehicle is not always the registered owner.

For example, for traffic control signal monitoring system and speed monitoring systems, the “owner” of a vehicle who may be liable for a fine means the registered owner of a motor vehicle or a lessee of a motor vehicle *under a lease of six months or more*. The “owner” of a vehicle does *not* include a motor vehicle rental company, a motor vehicle leasing company, the holder of certain special registration plates, or, due to the explicit definition of “owner,” a lessee of a motor vehicle under a lease of less than six months. As a result, these individuals and entities are never liable for the payment of a fine under current law (although in some cases, the individual driving the vehicle at the time of the citation may be liable); however, these individuals and entities may be liable for the payment of a fine under the bill.

Automated Enforcement Systems – Generally

State law authorizes the use of various automated monitoring systems, including traffic control signal monitoring systems, speed monitoring systems, school bus monitoring systems, vehicle height monitoring systems, and work zone speed systems. Generally, pursuant to §21-809(d)(5) of the Transportation Article, a person who receives a citation, may:

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

With specified exceptions, penalty revenues from automated enforcement systems, including speed monitoring systems, must be paid (1) to the administering State agency or local jurisdiction, in an uncontested case and (2) directly to the District Court (and consequently the general fund) in a case that is contested in District Court.

In general, citation revenues from speed monitoring systems used by a local jurisdiction (subject to limited exception) may be used to recover the costs of implementing and administering the program and any remaining balance may be used solely for public safety

purposes, including pedestrian or highway safety programs. However, for any fiscal year in which the balance remaining after the costs of implementing and administering the systems is greater than 10% of the total revenues of the county for the fiscal year, the county must remit any funds that exceed 10% of the total revenues to the Comptroller.

For additional information, please see the **Appendix – Speed Monitoring Systems**.

Special Registration Plates

The Maryland Vehicle Law requires that each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway must be properly registered. The Maryland Vehicle Law includes various exceptions to the registration requirement. For example, registration is not required for a farm tractor, a towed vehicle that is properly attached to a towing vehicle, or a vehicle owned by a new resident of Maryland during the first 60 days of residency, as specified.

The Maryland Vehicle Law also authorizes special registration plates that generally allow the transportation of motor vehicles by dealers, recyclers, and transporters. As noted above, the holder of one of these special registration plates is exempt from liability for the payment of some automated enforcement system fines.

State Revenues: The bill repeals the exemption from liability for the payment of a fine resulting from a citation issued through the use of a traffic control signal monitoring system or a speed monitoring system for the lessee of a motor vehicle under a lease of less than six months, motor vehicles rental companies, motor vehicle leasing companies, and holders of certain special registration plates. To the extent that additional fine revenues are collected under the bill, general fund, special fund, and nonbudgeted revenues increase accordingly.

Specifically, both the State Highway Administration (SHA) and the Maryland Transportation Authority (MDTA) have speed monitoring systems in place; revenues from uncontested citations from these systems generally accrue to the Transportation Trust Fund (TTF) and MDTA's nonbudgeted fund, respectively. In addition, revenues collected from speed monitoring systems placed by Prince George's County on Maryland Route 210 accrue to TTF. In the event that a citation is contested, and the individual is found guilty by the District Court, the revenues accrue to the general fund instead.

However, the ultimate fiscal impact depends on the number of additional citations that are paid under the bill and the number of additional cases that are contested, which cannot be reliably estimated without actual experience under the bill.

State Expenditures: As noted above, revenues derived from speed cameras on Maryland Route 210 accrue to TTF. These revenues must be used by SHA solely 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. Therefore, TTF expenditures increase correspondingly to any increase in revenues from speed cameras on Maryland Route 210.

The District Court can handle any additional caseload with existing resources.

Local Fiscal Effect: Revenues from traffic control signal monitoring system and speed monitoring system citations likely increase for local jurisdictions authorized to use those systems. Similar to the effect discussed above for SHA and MDTA, the ultimate fiscal impact depends on the number of additional citations that are paid under the bill and, as such, cannot be reliably estimated without actual experience under the bill. Local government expenditures increase as the additional penalty revenues are used for authorized purposes.

Additional Information

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

Designated Cross File: HB 1522 (Delegate Odom, *et al.*) - Environment and Transportation.

Information Source(s): Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Maryland Insurance Administration; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2026
jg/jkb

Analysis by: Richard L. Duncan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

Appendix – Speed Monitoring Systems

Speed Monitoring Systems – Authorization and Administrative Requirements

Speed monitoring systems are authorized to be used by the State Highway Administration (SHA), the Maryland Transportation Authority (MDTA), and local jurisdictions in specified locations as prescribed by State law. Most commonly, the systems are authorized for use in school zones; however, the systems may also be used on other specified highways and roadways, including Maryland Route 210 in Prince George’s County, Interstate 83 in Baltimore City and Baltimore County, and Maryland Route 200 in Montgomery County.

A speed monitoring system may not be used by a local jurisdiction unless its use is authorized by the governing body of the jurisdiction after reasonable notice and a public hearing. Before activating a speed monitoring system, SHA, MDTA, or a local jurisdiction, as applicable, must publish notice of the location of the system on its website and in a newspaper of general circulation in the jurisdiction. Statute prescribes additional requirements applicable to monitoring systems in certain locations. For example, speed monitoring systems in school zones may only operate Monday through Friday from 6:00 a.m. through 8:00 p.m.

In addition, statute includes numerous specifications that, subject to limited exception, broadly apply to the use of speed cameras in the State, including those related to:

- the placement of new speed monitoring systems (and movement of existing systems), including the timeframe during which such systems may only be used to issue warnings instead of citations;
- the placement and location of speed limit signs approaching and within an area covered by a speed monitoring system;
- the designation of an official or employee to investigate and respond to questions or concerns about the speed camera program;
- required training for speed monitoring system operators;
- required annual calibration checks for each speed monitoring system;
- guidelines for if an agency or local jurisdiction hires a contractor to operate a speed camera program;
- procedures for the use of recordings captured by a speed monitoring system as evidence; and
- data collection and reporting.

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 with 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 (*e.g.*, directly to the political subdivision for most locally administered programs); or
- elect to stand trial in the District Court for the alleged violation.

Chapter 505 of 2025 established an escalating penalty structure that generally applies for alleged violations recorded by speed monitoring systems in the State, as shown below 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
