

Bill Hearing HB 564.pdf

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Maryland Senate
Hearing Before the Judicial Proceedings Committee
On HB 564

Testimony Delivered April 1, 2021, by:

Kristy Daphnis

Chair of the Montgomery County Pedestrian, Bicycle, and Traffic Safety Advisory Committee

Position: Support

2020 was a terrible year in many ways, for many people - not just because of COVID, but also because of the number of preventable traffic deaths. In 2020, we had 39 total fatal crashes in Montgomery County, including 16 pedestrian and 1 bicyclist fatalities... a 34% increase from the prior 4-year average.

A major factor contributing to many of these deaths (pedestrian and drivers alike) was speed. On November 23, 2020 the U.S. DOT issued its first ever Pedestrian Safety Action Plan. In this plan, DOT highlights the effect of speed on crash survivability. If a person is hit by a vehicle traveling 23mph, the pedestrian has a 10% risk of death. At 42 mph, a 50% risk of death. In fact, commenters from across the Country agreed that jurisdictions need to “Do a better job of setting speed limits; design roadways to encourage slower speeds; approve laws and regulations including the use of speed cameras; and conduct more education on the dangers of speeding to change the cultural mindset that does not view speeding as a serious problem.”

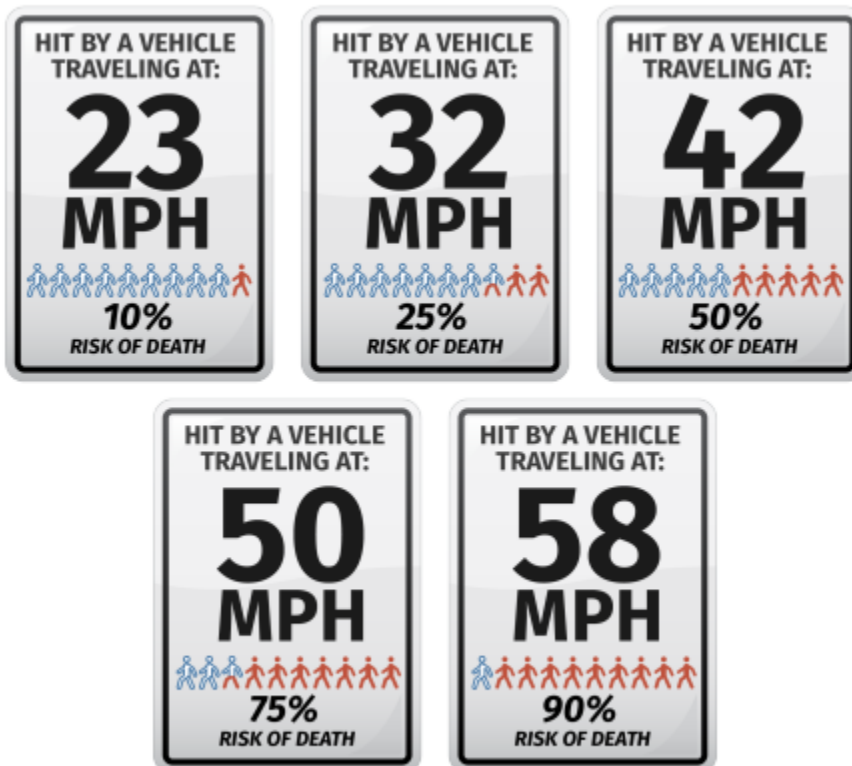
Speeding is a problem, both on State highways and on Montgomery County roadways. Montgomery County and SHA have worked together to lower speed along certain corridors, but progress on some of our roadways is currently hampered by State law. We must do what we can to reduce fatal crashes, and one potential approach is to thoroughly examine and assess our speed enforcement program.

It is true that Montgomery County Police Department (MCPD) has served as a model for effective automated enforcement programs over the years. In particular, the excellent work of Assistant Chief Tom Didone and Captain David McBain cannot go unnoticed. Under the existing State law and guidance, they have developed procedures and criteria that are fair and repeatable, and it is clear that they (and the Department) take great care and pride in implementing the Montgomery County automated enforcement program. They have also used creative funding mechanisms and contracting vehicles to ensure school bus camera implementation on the fleet of Montgomery County Public School busses. Undoubtedly, the automated enforcement programs and school bus camera programs have greatly improved safety on our roadways.

However, given the rise of complete street design standards, Vision Zero assessments and implementation, and other holistic traffic safety programs underway in Montgomery County - it is time to step back and consider whether the automated safety programs should be developed and administered by the police department, or by the Montgomery County Department of Transportation.

I support HB 564 which allows the County **additional options** surrounding its automated enforcement program, and I am pleased to see that the House-passed version of the bill extends beyond speed cameras, to include red light cameras and school bus cameras. **HB 564 would simply *enable* the County to transfer the administration of its speed camera program from MCPD to MCDOT - but, does not *require* it's transfer.** This is currently an issue the Montgomery County Council is exploring, and should they determine that a transfer and/or expansion of the program is warranted, **State law should not act as a barrier to this action.** Baltimore City is currently operating its automated enforcement program out of its Transportation Department, so this action would not be unprecedented. While this approach would be different than the current approach, the MCDOT is well equipped to use data to inform placement and monitoring of automated enforcement devices, and management of the overall program - to look at the enforcement mechanism through the lens of Vision Zero, and in the broader context of our roadway network and high incidence areas.

Figure 7. Vehicle Speed and Pedestrian Fatalities



Source: AAA Foundation for Traffic Safety, *Impact of Speed and a Pedestrian's Risk of Severe Injury or Death*, <https://aaafoundation.org/impact-speed-pedestrians-risk-severe-injury-death/>

HB 564 - MoCo (Senate)(GA 21).pdf

Uploaded by: Morningstar, Sara

Position: FAV



Montgomery County

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HB 564

DATE: March 30, 2021

SPONSOR: Montgomery County Delegation

ASSIGNED TO: Judicial Proceedings

CONTACT: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)

POSITION: SUPPORT

Montgomery County – Automated Traffic Enforcement – Implementing Agency MC 4-21

House Bill 564 is enabling legislation to allow Montgomery County to transfer the administration of its speed camera, red light camera, and school bus safety camera programs from the Montgomery County Police Department (MCPD) to the Montgomery County Department of Transportation (MCDOT). If such a transfer would take place, the bill requires that an MCDOT employee – and not an officer from MCPD – sign the required statement on a speed camera violation citation.

Under the State Transportation Article, § 21-809, speed camera use is allowed on residential streets with speed limits of 35 mph or less and in school zones, and further specifies that automated traffic enforcement programs be administered by a law enforcement agency of a local political subdivision. Apart from Baltimore City, which placed its speed camera program under the City's transportation department but requires that all speed camera violation citations be signed by a police officer, speed camera programs across the State are administered by police departments. MCPD also operates red light cameras at intersections throughout the County and enforces school bus safety camera violations on Montgomery County school buses.

The County supports House Bill 564. If enacted, it would allow the County to realign the administration of this program, should it decide to do so, after evaluating the pros and cons of such a change related to the County's Vision Zero goals and efficient use of resources.

HB564_FAV_Stewart_Senate.pdf

Uploaded by: Stewart, Vaughn

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 564
Montgomery County - Speed Monitoring Systems - Implementing Agency

Testimony by Delegate Vaughn Stewart
April 1, 2021 • Judicial Proceedings Committee

What the Bill Does:

HB 564 would authorize Montgomery County to transfer authority over the traffic safety camera program from the Montgomery County Police Department (“MCPD”) to the Montgomery County Department of Transportation (“MCDOT”). The Montgomery County Council is seeking this authority to evaluate this potential transfer of authority would be beneficial for the county. The County Council unanimously endorsed HB 564, the County Executive supports the bill, and the Montgomery County Delegation voted to pass the bill unanimously.

Why the Committee Should Vote Favorably:

County leaders want to study this transfer of authority because they believe housing automated speed enforcement within MCDOT could increase both organizational efficiency and traffic safety. MCDOT’s portfolio already includes both traffic management and transportation planning. MCDOT administers the county’s Vision Zero program, and automated speed enforcement would represent another tool in their pedestrian safety toolbox. Granting MCDOT this authority might allow the agency to integrate the program with its efforts to improve road design. Unlike MCPD, MCDOT can use automated enforcement data to assess the safety of certain corridors and intersections before pursuing structural fixes. This additional efficiency is why Mayor Bowser recently transferred automated enforcement authority to DC’s Department of Transportation.

We know that automated enforcement reduces traffic accidents and fatalities. Nationally, the CDC reports that jurisdictions that use speed cameras reduce “total crashes 8 to 49% and fatal and serious-injury crashes 11 to 44%.” In Montgomery County, a 2015 Insurance Institute for Highway Safety evaluation found that speed cameras alone “were associated with a 19 percent reduction in the likelihood that a crash resulted in an incapacitating or fatal injury.”

Across the country, several cities have had automated enforcement housed under their transportation departments since the technology’s inception. This bill represents a common-sense step to allow the county government to increase department efficiency in the name of public safety. I urge a favorable report from the committee.

2021.03.30 CSG Testimony on HB 564 for April 1 Hea

Uploaded by: Lyons, Jane

Position: FWA

March 30, 2021

Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, MD 21401

**HB 564, Montgomery County – Automated Traffic Enforcement – Implementing Agency MC
04-21 (Support)**

Testimony for April 1, 2021

Jane Lyons, Maryland Advocacy Manager

Chair Smith and senators, thank you for the opportunity to provide testimony on HB 564. My name is Jane Lyons and these comments are on behalf of the Coalition for Smarter Growth, the leading organization in the D.C. region advocating for walkable, bikeable, inclusive, transit-oriented communities as the most sustainable and equitable way to grow and provide opportunities for all.

We urge you to support HB 564, which would authorize Montgomery County to move oversight of automated traffic enforcement to the Montgomery County Department of Transportation, rather than the Police Department. Automated enforcement is already a great tool to objectively enforce traffic laws without biases, and allowing MCDOT to implement speed monitoring systems can further move traffic enforcement into civilian hands. It can also help the transportation agency more quickly identify and make design changes to certain locations to address safety issues.

Black and brown residents are disproportionately likely to be pulled over, receive a citation, and to have police force used against them during a traffic stop. This does not result in safer streets – rather, the opposite. This stokes distrust among community members and law enforcement. HB 564 is one step in the right direction to take police out of traffic enforcement and focus more on automated systems, safe design, and preventative actions to reduce traffic violations and eliminate traffic injuries and fatalities.

Therefore, we urge you to support HB 564. Thank you.