
March 14, 2023

The Honorable Kumar P. Barve
Chair, House Environment and Transportation Committee
Room 251, House Office Building
Annapolis MD 21401

RE: Letter of Information – House Bill 820 – Montgomery County – Speed Monitoring Systems – Maryland Route 200 (Intercounty Connector) MC 8-23

Dear Chair Barve and Members of the Committee:

The Maryland Department of Transportation (MDOT) and the Maryland Transportation Authority (MDTA) take no position on House Bill 820 but offer the following information for the Committee’s consideration.

As drafted, House Bill 820 requires the placement and use of speed monitoring systems (speed cameras) between the Shady Grove Road and Route 29 exit ramps on Maryland Route 200 (Intercounty Connector (ICC)) in Montgomery County. House Bill 820 further requires the MDTA and Montgomery County to enter into a memorandum of understanding (MOU) requiring the County to implement and administer the speed cameras placed and used on the ICC. In accordance with existing State law, since Montgomery County would implement and administer the program, Montgomery County could use the citation revenues to recover the costs of the speed camera program and for public safety purposes.

The ICC is a MDTA facility, and therefore, the MDTA Police have primary law enforcement responsibility; it is unclear why Montgomery County would administer the speed camera program on MDTA’s facility. Similarly, the use of mobile speed cameras on the ICC by Montgomery County may create operational and road worker safety issues if the deployment of mobile speed cameras is not closely coordinated with the MDTA. For example, the operations could result in interferences with other road maintenance efforts or law enforcement activities.

As drafted, House Bill 820 violates State law and the MDTA’s Trust Agreement with its bondholders in that any surplus speed camera violation revenue (after Montgomery County recoups its expenses) are paid to Montgomery County. Current law requires that all fees, tolls, and other revenues derived from the MDTA’s facilities be deposited into the Transportation Authority Fund unless otherwise pledged under the MDTA Trust Agreement. Similarly, Section 1.01 of the MDTA’s Trust Agreement defines “revenues” to include *all* fees, tolls, and other revenues derived from the MDTA’s facilities, which are pledged and secured under the Trust Agreement.

While House Bill 820 requires Montgomery County to implement and administer the speed monitoring systems, the MDTA may incur incidental expenses as a result of assisting with the

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implementation and ongoing management. House Bill 820 provides for Montgomery County's expenses to be offset by revenues but not the MDTA's.

Furthermore, House Bill 820, as drafted, requires a specific number of speed monitoring devices at specific locations. While crashes on the ICC have historically been lower than the State average, there are areas on the ICC that have more frequent incidents; the locations identified in House Bill 820 do not reflect these areas.

As amended by the Montgomery County Delegation, the bill requires the MDTA to place four devices on the ICC in Montgomery County that display a real time posting of the speed at which a driver is traveling for a period of 1 year and 9 months. In addition, the amended language requires MDTA Police to increase speed enforcement efforts on the ICC and report on enforcement efforts and data collected by the Authority. While MDTA Police are committed to speed enforcement on the ICC and all facilities, the MDTA is concerned about language requiring "increased speed enforcement efforts", which could be interpreted as a quota for enforcement.

The Maryland Department of Transportation and the Maryland Transportation Authority respectfully request the Committee consider this information when deliberating House Bill 820.

Respectfully submitted,

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