



**State of Maryland**  
**Department of State Police**  
Government Affairs Unit  
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**POSITION ON PROPOSED LEGISLATION**

**DATE:** January 31, 2025

**BILL NUMBER:** Senate Bill 381                      **POSITION:** Letter of Information

**BILL TITLE:** Motor Vehicles – Automated Enforcement Programs – Privacy Protections

**REVIEW AND ANALYSIS**

This legislation restricts the use of recorded images captured by automated enforcement systems to use only for an appropriate traffic enforcement purpose. Prohibits state and local agencies from using a recorded image or associated data from an automated enforcement system without a warrant, subpoena, or court order unless the use is for an appropriate traffic enforcement purpose. Furthermore, the bill requires an agency to immediately remove from its records and destroy any recorded image or associated data captured under the automated program that does not constitute evidence of a violation.

Currently, the Department of State Police (DSP) works with our partners at the Maryland Department of Transportation for the collection of images collected by a Work Zone Speed Camera System. DSP is responsible for the review and approval of civil citations issued for violations. Several counties have various automated enforcement programs such as speed enforcement, school bus violation enforcement and red light enforcement.

In 2024, Governor Moore proposed the Maryland Road Worker Protection Act of 2024, HB 513, that passed and was signed into law. The bill provides for enhanced penalties for second or subsequent speeding violations within a work zone. Senate Bill 381 undoes what the bill had accomplished. This legislation requires a recorded image or associated data captured under a program that constitutes evidence of a violation may be retained only for up to 6 months or until the conclusion of any criminal investigation or criminal or civil court action involving the recorded image or associated data, which will remove the record of a previous violation for purposes of the enhanced penalty.

Senate Bill 381, mandates that images can only be used for traffic enforcement, thereby restricting a valid means used by law enforcement to identify vehicles used in crimes or other offenses. Operationally, these cameras capture vehicle make and tag information. It also captures the location of the violation. By restricting retention of the data, a person accused of a crime is prohibited from obtaining photos from any of these programs that could exonerate them at a later time.

The Maryland Department of State Police respectfully requests that the Committee consider this information when deliberating Senate Bill 381.