

January 31, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Information – Senate Bill 381 – Motor Vehicles - Automated Enforcement Programs - Privacy Protections

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 381 but offers the following information for the Committee’s consideration.

SB 381 would enact privacy protections for motorists who are photographed or recorded via automated traffic enforcement (AE) systems, which includes speed and red-light running cameras. The legislation proposes conditions around the management, access to, use, and destruction of records for captured images and video from AE devices.

With the increasing reliance on AE systems to enforce vehicle laws, citations written by law enforcement have decreased significantly over the past several years. Vehicle records and traffic violations, such as captured vehicle speeds, are maintained by each jurisdiction or its vendor. While the State can track certain metrics with written citations, the State does not maintain an independent, single repository for AE citations. The only information submitted to the Maryland Motor Vehicle Administration (MVA) is unpaid citations to flag a vehicle’s registration, as Maryland’s privacy laws prohibits the sharing of AE data with the MVA and, consequently, the Maryland Highway Safety Office (MHSO).¹

SB 381 applies to recorded images captured by AE systems in work zones operated by the State Highway Administration (SHA). Currently, the SHA receives customer service requests beyond six months that require Work Zone AE citation information. Copies of outstanding citations are requested from individuals who lost the original citation and have now received a flag on their vehicle registration. Data is also requested to provide proof from the SHA that the AE citation has been paid. In addition, if the SHA determines that a refund is appropriate after payment, the citation data to support this would not be available if the SHA is required to purge the information in six months as required by SB 381.

Maryland law prohibits the renewal of vehicle registration with an outstanding traffic violation. Individuals renewing registration are often alerted to outstanding citations. Given that the MVA

¹ The MHSO oversees Vision Zero, the goal of zero roadway deaths in Maryland by 2030.

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offers a two-year registration option to make sure no necessary images are lost to resolve pending disputes, MDOT recommends a minimum period of two and a half years for record-keeping. Additionally, the bill text should accommodate for a timeline that supports the full resolution of violator debts.

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

Respectfully submitted,

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