

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1408 (Delegate Guyton)
Environment and Transportation

Motor Vehicles - Automated Traffic Enforcement Systems - Impoundment

This bill authorizes a law enforcement agency to impound a motor vehicle for which three or more citations from an automated traffic enforcement system have been issued if the citations are unpaid and overdue by at least 30 days. However, a law enforcement agency may impound a motor vehicle only (1) as a secondary action when the officer detains the driver of the motor vehicle for a suspected violation of another provision of State law or (2) when the motor vehicle is parked. The bill applies for citations resulting from any of the State's various automated enforcement systems, and accounts for the termination dates currently associated with the authorization of various systems.

Fiscal Summary

State Effect: General fund, special fund, and nonbudgeted revenues increase beginning in FY 2027 to the extent that the additional enforcement authorized by the bill results in more automated enforcement system fines being paid, as discussed below. Special fund expenditures increase correspondingly in some cases, as discussed below.

Local Effect: Local government revenues and expenditures increase to the extent that the additional enforcement authorized by the bill results in more automated enforcement system fines being paid, as discussed below.

Small Business Effect: Potential minimal.

Analysis

Current Law: 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 on speed cameras, the most common type of automated enforcement system, please see the **Appendix – Speed Monitoring Systems**.

State Revenues: By authorizing the impoundment of vehicles as an enforcement mechanism for unpaid automated enforcement citations under certain circumstances, the bill may result in more fines being paid beginning in fiscal 2027. 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. Additionally, citation revenues collected through a State operated work zone speed control system program accrue to a special fund to subsequently be distributed to SHA and the Department of State Police (DSP) for specified purposes.

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 from the civil fines collected through the use of State operated work zone speed cameras (and certain speed cameras operated by Prince George’s County, as referenced above) must generally be distributed and used for specified authorized purposes by DSP and/or SHA. Thus, special fund expenditures increase correspondingly to the extent additional revenues are distributed and used for such purposes.

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

Local Fiscal Effect: Revenues from the various automated enforcement systems authorized for use by local governments increase to the extent that the bill’s enforcement provision results in additional fines being paid. 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. 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: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Baltimore, Montgomery, and Prince George’s counties; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - March 4, 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
