

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 338

(Baltimore County Senators)

Judicial Proceedings

Environment and Transportation

Baltimore County - Speed Monitoring Systems - Interstate 695 and Interstate 83

This bill authorizes the State Highway Administration (SHA) to place up to six speed monitoring systems (speed cameras) on Interstate 695 in Baltimore County and four speed monitoring systems on Interstate 83 in Baltimore County, subject to certain requirements and limitations. Fines collected from the speed cameras must be remitted to the Comptroller for distribution to SHA, to then be used to (1) recover SHA’s administrative costs to implement and administer the speed camera program (up to 49% of total fine revenues may be used for this purpose) and (2) assist in covering the cost of roadway and safety improvements on Interstate 695 and Interstate 83 in Baltimore County. Fines distributed pursuant to the bill’s authorization are supplemental to (and not intended to take the place of) funding that would otherwise be appropriated for the same purposes. **The bill takes effect June 1, 2025, and terminates June 30, 2030.**

Fiscal Summary

State Effect: Likely no effect in FY 2025. To the extent speed cameras are placed as authorized, Transportation Trust Fund (TTF) revenues increase, potentially significantly, from FY 2026 through 2030; TTF expenditures increase correspondingly for administrative costs and for roadway and safety improvements. General fund expenditures for the Department of State Police (DSP) increase by approximately \$1.1 million in FY 2026; future years reflect elimination of one-time costs and inflation. General fund expenditures also increase by approximately \$12,200 in FY 2026 only for reprogramming.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
SF Revenue	-	-	-	-	-
GF Expenditure	\$1,123,000	\$637,400	\$664,900	\$693,600	\$722,700
SF Expenditure	-	-	-	-	-
Net Effect	(\$1,123,000)	(\$637,400)	(\$664,900)	(\$693,600)	(\$722,700)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Although Baltimore County may benefit from the roadway and safety improvements on Interstate 695 and Interstate 83, local finances are not directly affected.

Small Business Effect: Potential minimal.

Analysis

Bill Summary:

Select Definitions

“Speed monitoring system” means a device with one or more motor vehicle sensors connected to a camera system capable of producing recorded images of motor vehicles.

“Owner” means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more. “Owner” does not include a motor vehicle rental or leasing company or a specified holder of a special registration plate.

“Recorded image” means an image recorded by a speed monitoring system on (1) a photograph, microphotograph, electronic image, videotape, or any other medium and (2) showing the rear of a motor vehicle, at least two time-stamped images of the motor vehicle that include the same stationary object near the vehicle, and (on at least one image or portion of tape) a clear and legible identification of the entire registration plate number of the vehicle.

Speed Monitoring Systems on Interstate 695 and Interstate 83 – Generally

SHA may *place* up to three speed monitoring systems in each direction (six total) to record images of motor vehicles traveling on Interstate 695 in Baltimore County, and SHA may *place* up to two speed monitoring systems in each direction (four total) to record images of motor vehicles traveling on Interstate 83 in Baltimore County. However, SHA may only allow (1) the concurrent operation of up to two speed cameras in each direction on Interstate 695 and (2) one speed camera in each direction to be active at a time on Interstate 83.

Any such system must be placed at locations identified by SHA as being at high risk for motor vehicle crashes that result in serious bodily injury or death. A speed monitoring system operated on Interstate 695 or Interstate 83 may be used only to record the images of vehicles that are traveling at speeds at least 12 miles per hour above the posted speed limit.

Any such speed monitoring system may be used only if a conspicuous road sign is placed at a reasonable distance, consistent with national guidelines, before the system alerting drivers that a speed monitoring system may be in use. A speed monitoring system operator need not be present in person or remotely at the highway corridor where a speed monitoring system is in use.

The bill establishes training and daily set-up log requirements for speed monitoring system operators and requires each speed monitoring system to undergo an annual calibration check performed by an independent calibration laboratory, as specified. The daily logs must be admitted as evidence in any court proceeding for a violation of the bill's prohibitions.

DSP and SHA must jointly adopt regulations establishing standards and procedures for speed monitoring systems authorized under the bill.

Civil Penalty

Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of a motor vehicle is subject to a civil penalty of up to \$40 if the motor vehicle is recorded by a speed monitoring system during the commission of the violation.

The District Court must prescribe a uniform citation form, as specified, and indicate on the citation the amount of the civil penalty to be paid by persons who choose to prepay the civil penalty without appearing in District Court. 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.

If a person liable for a civil penalty does not pay the penalty or contest the violation, the Motor Vehicle Administration (MVA) may refuse to register or reregister (or suspend the registration of) the motor vehicle cited for the violation. Any violation for which a civil penalty is imposed under the bill (1) is not a moving violation for the purpose of assessing points; (2) may not be recorded by MVA on the driving record of the owner or driver of the vehicle; (3) may be treated as a parking violation, as specified; and (4) may not be considered in the provision of motor vehicle insurance coverage.

In consultation with DSP, the Chief Judge of the District Court must adopt procedures for the issuance of citations, the trial of civil violations, and the collection of civil penalties.

Requirements Related to Agency Issuance and Processing of Citations

DSP or a contractor designated by DSP must administer and process civil citations issued under the bill in coordination with the District Court. If a contractor provides, deploys, or

operates a speed monitoring system for DSP or SHA, the contractor's fee may not be contingent on the number of citations issued or paid.

When a violation occurs, DSP or a contractor of DSP must mail to the owner liable a citation that includes specified information, including the name and address of the registered owner of the vehicle, the location where the violation occurred, and at least one recorded image of the vehicle with a data bar imprinted on each image that includes the speed of the vehicle and the date and time the image was recorded. DSP must mail a warning notice instead of a citation to the owner during the first 90 days that a speed monitoring system is in operation.

DSP may not mail a citation to a person who is not the vehicle owner, except under specified circumstances. Generally, a citation must be mailed within two weeks after the alleged violation (or 30 days after the alleged violation for vehicles registered in another state).

Admissible Evidence, Defense of Violations, and Related Court Procedures

A certification alleging that a violation occurred, sworn to or affirmed by an officer of DSP, based on the inspection of a recorded image, is evidence of the facts contained in the certificate and is admissible in any proceeding concerning the alleged violation without the presence or testimony of the speed monitoring system operator. If a person who received a citation desires a speed monitoring system operator to be present and testify at trial, the person must notify the court and DSP in writing no later than 20 days before the trial. Adjudication of liability must be based on a preponderance of the evidence standard.

The bill specifies the information that the District Court may consider in defense of a violation, including specified requirements and processes related to stolen registration plates and circumstances when the vehicle owner was not operating the vehicle at the time of the violation. If the District Court finds that the person named in the citation was not operating the vehicle at the time of the violation or receives specified evidence identifying the person driving the vehicle at the time of the violation, the clerk of the court must provide DSP a copy of any evidence substantiating who was operating the vehicle at the time of the violation. DSP may, within two weeks of receipt of such evidence, issue a citation to the person whom the evidence indicates was operating the vehicle at the time of the violation.

Required Report

By June 1, 2030, SHA must submit a report to the Governor and the General Assembly on speed cameras placed on Interstate 695 and Interstate 83 in Baltimore County. The report must include specified information about the program, including citations issued, the

amount of revenues collected, how the revenues have been used, and whether there have been any measurable improvements to driver awareness and safety.

Current Law: State law authorizes the use of various automated monitoring systems, including traffic control system monitoring systems, speed monitoring systems, school bus monitoring systems, vehicle height monitoring systems, and work zone speed control systems.

Speed monitoring systems must be authorized in a local jurisdiction by the governing body of the jurisdiction (but only after reasonable notice and a public hearing). Before activating a speed monitoring system, a local jurisdiction must publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction. In addition, the jurisdiction must also ensure that each sign that designates a school zone is proximate to a sign that (1) indicates that speed monitoring systems are in use in the school zone and (2) conforms with specified traffic control device standards adopted by SHA. Similar requirements apply to speed cameras established on Maryland Route 210 (Indian Head Highway), grounds of institutions of higher education in Prince George's County, Interstate 83 in Baltimore City, Maryland Route 175 in Anne Arundel County (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County-Howard County line, and at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County.

An authorizing ordinance or resolution adopted by the governing body of a local jurisdiction must establish certain procedures related to the movement or placement of speed monitoring systems. Specifically, if a jurisdiction moves (or places) a mobile (or stationary) speed monitoring system to (or at) a new location, the jurisdiction may not issue a citation for a violation recorded by that speed monitoring system (1) until signage is installed, as specified and (2) for at least the first 15 calendar days after the signage is installed.

Generally, from the fines generated by a speed monitoring system, the relevant jurisdiction may recover the costs of implementing the system and may spend any remaining balance solely for public safety purposes, including for pedestrian safety programs. However, if the balance of revenues after cost recovery for any fiscal year is greater than 10% of the jurisdiction's total revenues, the excess must be remitted to the Comptroller.

State Expenditures: Assuming SHA uses the authorization to place the additional speed cameras on Interstate 695 and Interstate 83 in Baltimore County, TTF expenditures increase, potentially as early as fiscal 2025. However, this analysis assumes that State finances are not affected until fiscal 2026.

The exact cost to place the speed cameras and related signage depends on a number of factors (*e.g.*, the total number of cameras placed and how many are routinely active, how often the cameras are moved, etc.). For comparison purposes, administrative costs (including equipment and personnel) for SHA and DSP to operate the State’s work zone speed control system totaled about \$6.7 million and \$1.2 million, respectively, in fiscal 2023. Expenditures under the bill are likely significantly less than those amounts, as the speed monitoring systems authorized by the bill are limited to 10. Based on preliminary information from SHA, administrative costs for the program could total *as much as* \$500,000 annually, which includes personnel costs associated with two additional program managers.

In addition, TTF expenditures increase for roadway and safety improvements, after a portion of the revenues is retained by SHA for cost recovery, as authorized under the bill. SHA may incur costs to complete the report required by the bill; however, any such impact cannot be reliably estimated at this time

General fund expenditures for DSP increase by \$1.1 million in fiscal 2026, which accounts for a 30-day start-up delay from the bill’s June 1, 2025 effective date. This estimate reflects the cost of hiring one sergeant and four troopers to manage the new speed monitoring system program on Interstate 695 and Interstate 83. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The estimate also includes standard equipment purchases for new DSP personnel (*e.g.*, standard marked police vehicles).

Positions	5.0
Salaries and Fringe Benefits	\$656,182
Operating Expenses (including significant one-time costs)	<u>454,652</u>
Total FY 2026 DSP General Fund Expenditures	\$1,110,834

Future year general fund expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

The Department of Legislative Services (DLS) advises that any new personnel hired as a result of the bill must undergo training at the State Police Training Academy. Thus, depending on how soon SHA is able to install the new speed monitoring systems, the responsibilities for DSP under the bill may need to be covered by existing staff; these positions would later be backfilled once the new personnel complete training. Further, even though the bill terminates June 30, 2030, DLS advises that contractual staffing is not feasible for such positions.

The increase in District Court caseloads can likely be handled with existing resources until the bill terminates. In fiscal 2026 only, general fund expenditures increase by \$12,208 for reprogramming for the Judiciary.

State Revenues: The amount of citation revenues that may be received as a result of the new speed monitoring systems cannot be determined without actual experience under the bill and depends on factors such as the exact locations where the cameras are placed, the traffic volume at such locations, the extent to which driver behavior changes, etc. In fiscal 2023, citation revenues for the State's work zone speed control systems totaled \$9.7 million. While those systems allow SHA and DSP to use citation revenues to recoup their costs, the bill does not include similar provisions for DSP. Thus, administrative expenditures and equipment purchases under the bill for DSP are *not* offset by the increased citation revenues. For SHA, some or all of the administrative expenditures and equipment purchases may be offset, as the bill allows up 49% of the fine revenues to be used for this purpose.

Based on revenues received under the State's work zone monitoring system program, TTF revenues may increase significantly from fiscal 2026 through 2030 assuming cameras are installed pursuant to the bill's authorization. (Although the bill takes effect in fiscal 2025, no impact on revenues is expected until fiscal 2026 due to the bill's requirement that *only* warning notices be issued for the first 90 days of operations.)

Additional Comments: Although not explicitly specified in the bill, due to other provisions in the bill, *uncontested* citation revenues are assumed to be collected by DSP and ultimately remitted to TTF (via the Comptroller). In addition, fine revenues collected for contested citations in the District Court accrue to the general fund under other automated enforcement systems; under the bill, the District Court must remit them to the Comptroller for subsequent distribution to SHA.

The above estimate for DSP reflects permanent employees as DSP has previously indicated that its responsibilities related to processing civil citations as under the bill are not activities that would be performed by a contractor. When the bill terminates at the end of fiscal 2030, the sergeant and troopers are assumed to be absorbed into ongoing departmental functions. Even so, if DSP were to hire a contractor, DLS advises that general fund expenditures would likely increase less significantly in the first year of implementation. However, costs could still total more than \$500,000 annually.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 1067 and HB 1502 of 2024.

Designated Cross File: HB 978 (Delegate Stein, *et al.*) - Environment and Transportation.

Information Source(s): Department of State Police; Maryland Department of Transportation; Comptroller's Office; Judiciary (Administrative Office of the Courts); Baltimore County; Department of Legislative Services

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