

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 373 (Delegate Carr)  
Environment and Transportation

---

Motor Vehicle Administration - Traffic Control Signal Monitoring Systems -  
Reciprocal Agreements

---

This bill authorizes the Motor Vehicle Administration (MVA) to enter into an agreement with another jurisdiction that allows reciprocal enforcement of violations recorded by a traffic control signal monitoring system (*i.e.*, a red light camera system).

---

Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures may increase in order to implement reciprocal agreements entered into under the bill. TTF revenues may increase to the extent additional flag fees are placed on vehicle registrations as a result of out-of-state violations.

**Local Effect:** Local revenues may increase to the extent a reciprocal agreement results in higher rates of compliance by out-of-state red light camera violators. Expenditures may increase for implementation.

**Small Business Effect:** Minimal.

---

Analysis

**Bill Summary:** An agreement made pursuant to the bill's authorization must provide that, while in another jurisdiction, drivers licensed and vehicles registered in Maryland enjoy similar benefits, privileges, and exemptions with regard to red light camera enforcement as the benefits, privileges, and exemptions extended to drivers and vehicles licensed or registered in the other jurisdiction while in Maryland.

An agreement may allow for the refusal of the registration of a motor vehicle for which a violation is recorded by a red light camera system.

The bill prohibits MVA from entering into an agreement with another jurisdiction if the penalty for a red light camera violation in that jurisdiction exceeds the penalty for a red light camera violation in Maryland by more than 50%.

A political subdivision for which a red light camera system is operated and maintained by that jurisdiction must coordinate with MVA to facilitate the reciprocal enforcement of red light camera violations.

**Current Law:** Unless the driver of a motor vehicle receives a citation from a police officer at the time of the violation, the owner or driver of a vehicle recorded by a red light monitoring system entering an intersection against a red signal in violation of the Maryland Vehicle Law is subject to a civil penalty of up to \$100. Red light camera enforcement applies to a violation of specified Maryland Vehicle Law requirements applicable to a vehicle approaching a steady circular red signal or arrow, including (1) stopping at a clearly marked stop line, or crosswalk if there is no stop line, or intersection if there is no crosswalk and (2) remaining stopped until a signal allows the vehicle to proceed.

A driver is specifically authorized under the Maryland Vehicle Law to cautiously enter an intersection to make a right turn (or left turn from a one-way street to another one-way street) after stopping at a steady red light, unless a sign otherwise prohibits the turn.

**Background:** For a full discussion of red light cameras and related systems, please see **Appendix – Automated Enforcement**.

**State/Local Fiscal Effect:** MVA advises that TTF revenues and expenditures may be affected by the bill. While red light camera revenues are paid to local governments, TTF revenues may increase due to the placement of additional administrative flag fees under the bill. Because MVA is authorized to refuse a registration renewal for a vehicle owner who fails to pay a red light camera violation to an out-of-state jurisdiction, TTF revenues increase to the extent additional vehicles are reported to MVA and flagged for noncompliance. However, there is no data available to determine how many registrations may be subject to a flag fee under the bill. That number would depend on the number of reciprocal agreements entered into and the level of red light camera violation noncompliance by Maryland drivers in other states.

The effect on TTF expenditures is less clear. MVA advises additional personnel may be needed based on the volume of out-of-state administrative flags that will need to be placed on vehicle registrations under reciprocal agreements. However, the need for additional personnel cannot be determined until reciprocal agreements are entered into and flag

requests are received from other states and/or localities. This analysis assumes that TTF expenditures are primarily affected in the first year of implementation (presumably in fiscal 2021), and that any out-year costs are minimal.

Local governments are also affected by any reciprocal agreements entered into under the bill. Currently, an out-of-state violator who fails to pay a red light camera citation to a local government is not subject to denial of registration renewal. Under the bill, however, an out-of-state violator who fails to pay a red light camera ticket could be subject to denial of registration renewal. As a result, out-of-state vehicle owners are expected to be more likely to pay red light camera violations in Maryland. Because of this, red light camera revenues for local jurisdictions are expected to increase under the bill.

Nevertheless, the increase in revenues may be somewhat offset by implementation costs. Local governments would need to work with MVA to report out-of-state violators. MVA would presumably then notify the other jurisdiction on behalf of the local government. Any local implementation costs cannot be determined until a system is put in place by MVA and reciprocal agreements are reached with other jurisdictions.

---

### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Baltimore City; Caroline, Howard, and Prince George's counties; cities of Bowie and Takoma Park; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 12, 2020  
rh/ljm

---

Analysis by: Eric F. Pierce

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

## Appendix – Automated Enforcement

---

### *Speed Monitoring Systems*

Chapter 15 of 2006 authorized the first use of speed monitoring systems in the State, but it only applied to highways in school zones and residential districts in Montgomery County. Since that time, the General Assembly has expanded the authorization several times.

- Chapter 500 of 2009 expanded statewide the authorization for the use of speed monitoring systems in school zones and also authorized the use of work zone speed control systems.
- Chapter 474 of 2010 authorized the use of speed monitoring systems in Prince George’s County on a highway located within the grounds of an institution of higher education or on nearby highways under certain circumstances.
- Chapter 806 of 2018 authorized Prince George’s County to place one speed camera at the intersection of Old Fort Road and Maryland Route 210 (Indian Head Highway), subject to specified requirements. Chapter 586 of 2019 repealed the limitation on the location of speed cameras that may be placed on Indian Head Highway and increased (to three) the number of speed cameras that the county (and local jurisdictions within the county) may use on the highway (presumably only until the existing authorization terminates September 30, 2023).

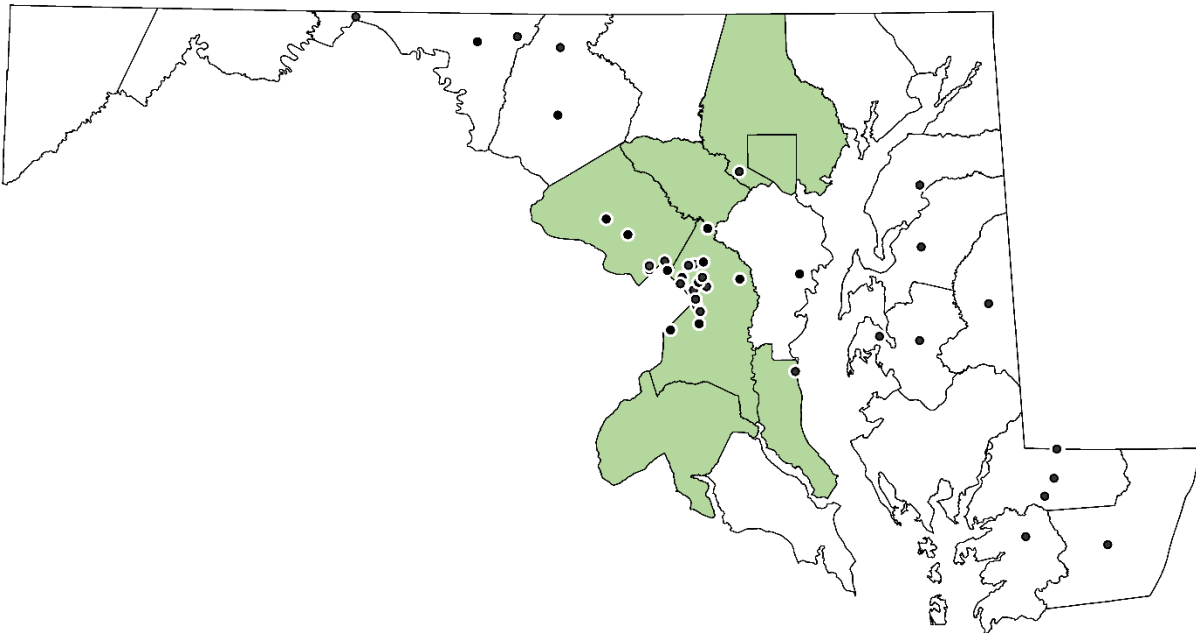
Unless the driver of a motor vehicle received a citation from a police officer at the time of the violation, the owner or driver of the vehicle is subject to a civil penalty if the vehicle is recorded speeding at least 12 miles per hour above the posted speed limit by a speed monitoring system in violation of specified speed restrictions in the Maryland Vehicle Law. The maximum fine for a citation issued by a speed monitoring system operator is \$40. However, a local law enforcement or other designated agency operating the speed monitoring system may mail a warning notice instead of a citation.

A speed monitoring system may be placed in a school zone for operation between 6:00 a.m. and 8:00 p.m., Monday through Friday. Before a speed monitoring system may be used in a local jurisdiction, its use must be authorized by the governing body by ordinance or resolution adopted after reasonable notice and a public hearing, and its location must be published on the jurisdiction’s website and in a newspaper of general circulation in the jurisdiction.

According to the Insurance Institute for Highway Safety (IIHS), approximately 150 jurisdictions across the nation use speed cameras. In Maryland, speed cameras are used in six counties and Baltimore City, 40 other jurisdictions, and by the State Highway Administration (SHA) on a statewide basis for work zones. **Exhibit 1** shows local speed camera usage across the State as of January 2020.

---

**Exhibit 1**  
**Local Speed Monitoring System Enforcement in Maryland**  
**January 2020**



Note: ● represents municipal corporations that operate speed monitoring systems; ■ represents counties that operate speed monitoring systems. Speed cameras are also operated in highway work zones statewide.

Source: Insurance Institute for Highway Safety; Comptroller's Office; Department of Legislative Services

---

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. As shown in **Exhibit 2**, according to data from the Comptroller, as of January 2020, approximately

\$204,100 was remitted in fiscal 2019 (with data pending for the City of Seat Pleasant only), while \$226,800 was remitted in fiscal 2018.

---

**Exhibit 2**  
**Local Speed Monitoring Systems Data (Aggregated)**  
**Fiscal 2014-2019**

<u>Fiscal Year</u>	<u>Fine Revenues</u>	<u>System Costs</u>	<u>Net Revenues</u>	<u>Due to State</u>
2019*	\$60,258,673	\$32,846,505	\$27,412,488	\$204,144
2018	63,749,052	31,395,278	32,376,854	226,822
2017	54,802,197	30,145,731	24,757,588	-
2016	57,198,345	31,637,019	25,208,963	-
2015	56,966,652	28,794,043	28,175,109	456,006
2014	53,842,875	32,978,310	20,864,564	-

\* As of January 2020; data pending for City of Seat Pleasant.

Source: Comptroller's Office; Department of Legislative Services

---

Also, in fiscal 2019, the Comptroller reports that 47 (excluding the City of Seat Pleasant) local jurisdictions generated speed monitoring system fine revenues of about \$60.3 million, of which about \$27.4 million (45.5%) was retained by local jurisdictions for public safety programs after recovery of the costs of implementing the systems. Between fiscal 2018 and 2019, total fine revenues decreased by approximately \$3.5 million while implementation expenditures increased by about \$1.5 million. Net revenues retained by local jurisdictions for public safety decreased by approximately \$5.0 million between fiscal 2018 and 2019.

*Speed Monitoring System Reform – Chapter 491 of 2014*

The General Assembly passed House Bill 929 of 2014 (enacted as Chapter 491) in response to significant concerns from the public and media scrutiny of speed cameras in Baltimore City and several other jurisdictions. These concerns centered around two common criticisms of speed cameras: (1) that technical issues and insufficient review of recorded images resulted in erroneously generated citations; and (2) that the contracts with vendors were structured in such a manner as to establish an incentive to generate more citations and revenues, thereby casting doubt on the integrity or purpose of speed monitoring programs. Thus, Chapter 491 required jurisdictions to impose new restrictions and requirements on their contracts with speed monitoring vendors and established numerous additional requirements and restrictions pertaining to the issuance of citations,

the calibration and self-testing of systems, the review of erroneous citations, and the use and placement of systems in school zones.

### *Automated Speed Enforcement Efficacy*

National and international studies of automated speed enforcement, as well as local program evaluations, provide some insight into the level of effectiveness of such enforcement mechanisms. According to IIHS, several studies have documented reductions in crashes in the vicinities of speed cameras, including crashes that result in an injury or fatality.

A 2015 study by IIHS of speed camera usage in Montgomery County, Maryland, showed long-term changes in driver behavior as well as reductions in injuries and deaths. Montgomery County introduced speed cameras in 2007, and an initial review of the program by IIHS six months into the program found that the percentage of vehicles going more than 10 miles per hour over the speed limit (which, at that time, was the enforcement threshold) declined by 70% on roads with speed cameras. The 2015 study showed a 59% reduction in the likelihood of a driver exceeding the speed limit by more than 10 miles per hour, compared with similar roads in Virginia without speed cameras. The same comparison showed a 19% reduction in the likelihood that a crash would involve a fatality or an incapacitating injury.

Data from the National Work Zone Safety Information Clearinghouse shows that there were 754 fatalities in highway work zones nationwide in 2018, including 10 in Maryland. The number of work zone fatalities in Maryland in 2018 decreased by four compared to 2017. Nationally, the number of work zone fatalities decreased by about 55 compared to 2017.

### *Traffic Control Signal Monitoring Systems (Red Light Cameras)*

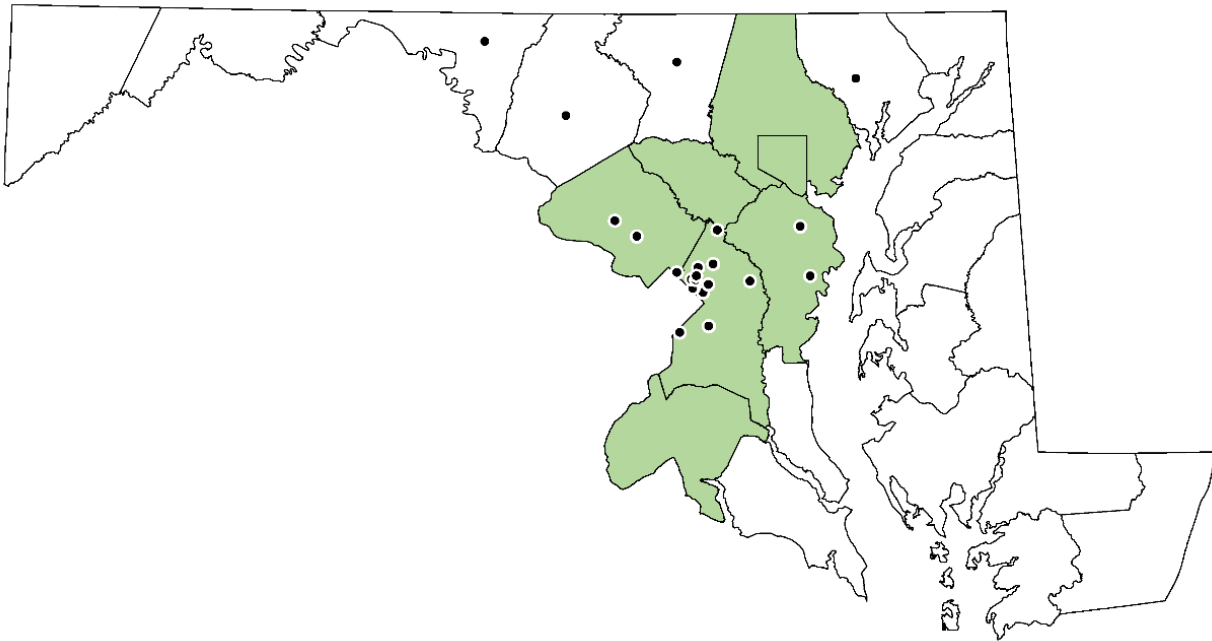
Unless the driver of a motor vehicle receives a citation from a police officer at the time of the violation, the owner or driver of a vehicle recorded by a red light monitoring system entering an intersection against a red signal in violation of the Maryland Vehicle Law is subject to a civil penalty of up to \$100. Red light camera enforcement applies to a violation of specified Maryland Vehicle Law requirements applicable to a vehicle approaching a steady circular red signal or arrow, including (1) stopping at a clearly marked stop line, or crosswalk if there is no stop line, or intersection if there is no crosswalk and (2) remaining stopped until a signal allows the vehicle to proceed.

A driver is specifically authorized under the Maryland Vehicle Law to cautiously enter an intersection to make a right turn (or left turn from a one-way street to another one-way street) after stopping at a steady red light, unless a sign otherwise prohibits the turn.

According to IIHS, approximately 340 jurisdictions across the nation have red light camera programs as of January 2020. In Maryland, six counties, Baltimore City, and 22 other jurisdictions use red light cameras. **Exhibit 3** shows red light camera usage across the State as of January 2020.

---

**Exhibit 3**  
**Local Red Light Camera Enforcement in Maryland**  
**January 2020**



Note: ● represents municipal corporations that operate red light camera systems; ■ represents counties that operate red light camera systems.

Source: Insurance Institute for Highway Safety; Department of Legislative Services

---