

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 404 (Delegate W. Fisher)  
Environment and Transportation

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Vehicle Laws - Speed Monitoring Systems - Child Care Centers

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This bill authorizes the placement and use of speed monitoring systems (speed cameras) on a highway within a one-half mile radius of a child care center with a posted speed limit of 20 miles per hour or more, subject to existing requirements for the placement of speed cameras.

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Fiscal Summary

**State Effect:** To the extent local jurisdictions authorize the placement of additional speed cameras under the bill, general fund revenues may increase significantly beginning in FY 2022 due to more contested cases in District Court. Expenditures are likely not materially affected, as discussed below.

**Local Effect:** Local revenues increase, potentially significantly, beginning in FY 2022 to the extent that jurisdictions authorize the placement of additional speed cameras. Expenditures increase for installation and maintenance, with the remaining amounts reserved for public safety purposes.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** A “child care center” means an agency, institution, or establishment that, for part or all of a day (or on a 24-hour basis on a regular schedule), and at least twice a week, offers (or provides) child care to children who do not have the same parentage except as otherwise provided for in law or regulation.

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 the State Highway Administration.

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 Fiscal Effect:** Assuming multiple jurisdictions throughout the State exercise the authority granted by the bill, the number of citations issued in local jurisdictions may increase significantly. As a result, the number of individuals opting for a trial in District Court may increase. Although the potential increase in cases cannot be reliably estimated, general fund revenues may also increase significantly, as fine revenues paid by individuals convicted in District Court are paid into the general fund.

District Court caseloads may also increase; however, expenditures are not anticipated to be significantly affected.

Because some of the speed cameras placed pursuant to the bill's authorization may be located on roadways that are maintained by the State, the State Highway Administration (SHA) advises that Transportation Trust Fund (TTF) expenditures may increase in order to, among other things, modify or procure new signage. While the Department of Legislative Services agrees that SHA may incur additional costs under the bill, any such increase in TTF expenditures cannot be reliably estimated without additional information (*e.g.*, the potential number of locations that meet the bill's criteria for speed camera placement).

**Local Fiscal Effect:** Local revenues increase, potentially significantly, to the extent that local jurisdictions authorize additional speed cameras as a result of the bill. Based on data from the Maryland Family Network, this analysis assumes more than 1,500 locations in the State may meet the bill's criteria for placement of a speed monitoring system. However, the impact on local revenues also depends on other factors, such as the number of jurisdictions that choose to authorize the speed cameras and the number of speed cameras installed in each jurisdiction. In addition, some child care centers may be located in areas

that are already eligible for a speed monitoring system (*e.g.*, school zones). In that case, it is unclear whether local jurisdictions would choose to install additional cameras.

Local expenditures also increase for local jurisdictions installing speed cameras pursuant to the bill's authorization. However, implementation costs in jurisdictions that already operate speed monitoring systems may be less than in those that do not. After cost recovery, the remaining revenues may only be expended for public safety purposes. Thus, local expenditures may also increase for public safety purposes under the bill.

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### **Additional Information**

**Prior Introductions:** HB 1180 of 2020 was heard in the House Environment and Transportation Committee and was subsequently withdrawn.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - January 19, 2021  
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