

Department of Legislative Services  
Maryland General Assembly  
2022 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 264 (Delegate Guyton)  
Environment and Transportation

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Speed Monitoring Systems - School Zones - Nursery Schools

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This bill expands the definition of school zone within the State’s speed monitoring systems (speed cameras) law to include a designated roadway segment within a half-mile radius of a nursery school. As a result, the bill authorizes the placement and use of speed cameras on a highway within a one-half mile radius of a nursery school 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 2023 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 2023 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:** Potential minimal.

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Analysis

**Current Law:** Although nursery school is not defined in statute, regulations define “nursery school” as an educational program for children who are between the ages of

two and four, inclusive, that may not operate for more than six hours per day (unless approved to do so by the Maryland State Department of Education prior to July 1, 2007). 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. Additional restrictions apply in Prince George's County. Also, statewide, a speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

“School zone” means a designated roadway segment within a half-mile radius of a school for any of grades kindergarten through 12 where school-related activity occurs, including travel by students to or from school on foot or by bicycle or the dropping off or picking up of students by school buses or other vehicles.

A civil penalty for a violation is capped at \$40; the penalty may be prepaid or contested in District Court. From the prepaid 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, Transportation Trust Fund (TTF) expenditures may increase in order to, among other things, modify or procure new signage. 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 400 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 nursery schools may be located in areas that are already eligible for a speed monitoring system (*e.g.*, school zones as defined under current law and/or other designated areas under current law). In that case, it is unclear whether local jurisdictions would choose to install additional cameras. Also, it is unclear whether certain designated areas in Baltimore City and Anne Arundel, Montgomery, and Prince George's counties authorized to have speed monitoring systems could lose the ability to operate on a 24/7 basis if those areas were deemed to meet the new definition of a school zone, which restricts operation to certain days and hours. However, any such effect is assumed to be negligible.

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:** None.

**Designated Cross File:** None.

**Information Source(s):** Baltimore, Garrett, Howard, and Montgomery counties; Comptroller's Office; 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

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