

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 857

(Senator McCray)

Judicial Proceedings

**Baltimore City – Traffic Control Signal and Speed Monitoring Systems –
Impoundment**

This bill authorizes Baltimore City to treat violations recorded by traffic control signal monitoring (red light camera) and speed monitoring (speed camera) systems as parking violations for impoundment purposes in certain circumstances. Specifically, the authorization applies if the vehicle owner has accrued \$1,000 or more in unpaid civil penalties for violations recorded by red light cameras or speed cameras in Baltimore City.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: Baltimore City revenues increase, potentially significantly, as discussed below. Expenditures also increase, but any impact is assumed to be fully offset by recovered citation revenues.

Small Business Effect: Minimal.

Analysis

Current Law:

Power of Political Subdivisions and State Agencies to Regulate Parking

Generally, any State agency authorized by law and any political subdivision of the State may adopt ordinances or regulations that:

- regulate the parking of vehicles;
- provide for the impounding of vehicles parked in violation of the ordinances or regulations;

- regulate the towing of vehicles from publicly owned and privately owned parking lots; and
- provide for the issuance of a citation by an officer for a violation of an ordinance or regulation that is adopted pursuant to this authorization.

Automated Enforcement Systems Addressed by the Bill

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 traffic control signal 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.

Speed Cameras: 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.

Effect of Civil Penalty: A civil penalty imposed for a red light camera or speed camera violation:

- is not a moving violation for purposes of assessing points against an individual's driver's license;
- may not be recorded by the Motor Vehicle Administration on the driving record of the owner or driver of the vehicle;
- may be treated as a parking violation for purposes of enforcement actions related to vehicle registrations and registration renewals; and
- may not be considered in the provision of motor vehicle insurance coverage.

Local Fiscal Effect: According to the Baltimore City Department of Transportation, several thousand unique vehicle registrations are flagged as having outstanding civil fines totaling \$1,000 or more. However, this figure includes vehicles registered in other states; the figure also includes all civil citations that do not have a points assessment penalty associated with the violation (*e.g.*, parking citations, automated enforcement citations,

etc.). The bill only authorizes Baltimore City to impound a vehicle if the owner has accrued more than \$1,000 in red light camera or speed camera violations. Thus, the additional population of vehicles subject to impoundment under the bill may be less significant than the above estimate. Additionally, Baltimore City advises the overall share of chronic offenders over a six-year period is a relatively small percentage of all offenders (about 4%).

To the extent Baltimore City uses the authorization granted by the bill, local revenues may increase significantly, given many chronic offenders have accumulated significant civil penalty violations. However, some portion of the revenues received are offset by the cost to tow and impound additional vehicles. Even so, the net impact to Baltimore City finances is assumed to be a potentially significant revenue increase.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 846 (Baltimore City Delegation) - Environment and Transportation.

Information Source(s): Baltimore City; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2023
rh/ljm

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