

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1369 (Montgomery County Delegation)
Environment and Transportation

Montgomery County - Speed Monitoring Systems - Maryland Route 200
(Intercounty Connector)
MC 11-24

This bill authorizes the Maryland Transportation Authority (MDTA) to place and use up to four mobile speed monitoring systems (speed cameras) on Maryland Route 200 (Intercounty Connector (ICC)) in Montgomery County. The bill incorporates the authorization within current statutory provisions governing the usage of speed cameras in specified locations throughout the State and makes several clarifying, conforming, and technical changes. If MDTA moves or places a device to (or at) a location where a speed camera had not previously been moved or placed, MDTA may not issue a citation for a violation (1) until signage is installed in accordance with existing law and (2) for at least the first 15 calendar days after the signage is installed. MDTA must report on its usage of speed cameras in the same manner as local jurisdictions do to the Maryland Police Training and Standards Commission (MPTSC).

Fiscal Summary

State Effect: To the extent the additional speed cameras are placed along the ICC in Montgomery County, MDTA nonbudgeted revenues and expenditures increase, potentially significantly, beginning as early as FY 2025. General fund revenues likely increase minimally beginning as early as FY 2025 due to the issuance of additional speeding citations from enhanced enforcement.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Maryland Transportation Authority

Since 1971, MDTA has been responsible for constructing, managing, operating, and improving the State's toll facilities (*e.g.*, the Chesapeake Bay Bridge, the Francis Scott Key Bridge, and the ICC) and for financing new revenue-producing transportation projects. MDTA is governed by nine individuals appointed by the Governor with the advice and consent of the Senate. MDTA has the authority to set tolls on transportation facilities projects under its supervision. Tolls must provide funds that, when combined with bond proceeds and other available revenues, are sufficient to pay maintenance, repair, and operating costs for transportation facilities projects that are not otherwise paid for; pay the interest and principal of any outstanding bond issues; create reasonable reserves for these purposes; and provide funds for the cost of replacements, renewals, and improvements. Toll revenues are deposited into the Transportation Authority Fund, which is wholly separate from the Transportation Trust Fund.

Speed Cameras (Generally)

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 State Highway Administration. 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.

By December 31 each year, MPTSC must (1) compile and make publicly available a report for the previous fiscal year on each speed monitoring system program operated by a local jurisdiction and (2) submit the report to the Governor and the General Assembly. The report must include specified information (*e.g.*, the total number of citations issued, gross revenue generated by the program, expenditures incurred, net revenue generated by the program, etc.) that is reported by local jurisdictions to MPTSC.

State Fiscal Effect:

District Court

Under the bill, the number of citations issued for speed camera violations is expected to increase beginning in fiscal 2025. As a result, the number of individuals opting for a trial in District Court is also likely to increase. Accordingly, general fund revenues increase minimally, as fine revenues paid by individuals convicted in District Court are paid into the general fund. The increase in District Court caseloads can likely be handled with existing resources.

Maryland Transportation Authority Expenditures

MDTA advises that, under the bill, it anticipates placing four mobile speed cameras on the ICC within Montgomery County, as authorized by the bill. In total, MDTA anticipates costs totaling about \$1.5 million annually (\$7.6 million over a five-year period) in order to install the mobile cameras per the bill's requirements associated with the authorization.

Citation Revenues

As the bill requires citations to be paid to MDTA, nonbudgeted revenues are assumed to increase significantly under the bill.

The exact number of citations that may be issued once the bill takes effect depends on several factors (*e.g.*, the volume of traffic at each location, any deterrent effect the cameras may have, how often the cameras are moved, etc.). Nevertheless, the Department of Legislative Services advises that the number of citations issued under the bill may be significant.

Based on program data from work zone speed control systems, revenues received from a speed monitoring system authorization on the ICC may likewise be significant. In fiscal 2023, 335,888 citations were issued for work zone speed camera violations, resulting in approximately \$9.7 million in prepaid fine revenues. Thus, reflective of these citation levels, the prepaid fine revenues for ICC speed camera citations are likely to be more than sufficient to cover MDTA's anticipated costs noted above.

Additional Comments: In general, speed camera citations are payable to the relevant local jurisdiction where the camera is located. However, the bill specifies that a person who receives a citation under the bill must pay the civil penalty *directly* to MDTA, as appropriate. Thus, this analysis assumes that all citation revenues (except those contested in District Court) accrue to MDTA as nonbudgeted revenues (otherwise, they would presumably be collected by MDTA and then redirected to the Comptroller as general fund revenues).

Additional Information

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

Designated Cross File: None.

Information Source(s): Montgomery County; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Maryland Department of Transportation; Department of Legislative Services

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