



Senate Bill 350

Speed Monitoring Systems Reform Act of 2014

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Environmental Matters Committee

Date: March 27, 2014

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** Senate Bill 350 **WITH AMENDMENTS**. While most of the bill's provisions include the multi-year work of this Committee and concerned stakeholders, the bill contains three additional troublesome provisions that MACo urges the Committee to reject and instead conform the provisions to the House of Delegates speed camera legislation (HB 929).

During the 2013 Session, this Committee formed a stakeholders' workgroup to address concerns raised about the administration of local government speed camera programs. Ultimately, the recommendations of the workgroup were combined into HB 929 of 2013, which passed the House with amendments but went to conference committee in the Senate and failed to pass before *Sine Die*.

This Committee then requested that the involved stakeholders, including MACo, continue to meet over the 2013 interim to further refine the bill. The stakeholders met, further clarifying and, where necessary, strengthening the language of HB 929 of 2013. The final product of the stakeholder efforts is reflected in HB 929 / SB 652 of 2014. HB 929 passed the House on a bipartisan vote (115-20).

SB 350 contains three key differences from HB 929 of 2014. First, SB 350 includes a definition of a school zone that limits it to a one-quarter mile radius and includes confusing "approaching, adjacent to, or beyond" language – both of these provisions were rejected by this Committee. One-half mile is the standard used by the State Highway Administration and is based on actual walkability measures. In many urban counties, children are walking that distance to get to school.

Second, SB 350 would limit the use of school zone speed cameras to the regular school year. Again, this Committee rejected making any changes to the consistent and easy-to-understand

operational time of Monday-Friday, 6:00 AM – 8:00 PM. The current rule was subject to significant thought and debate when originally adopted and incorporates the primary times when most school and after-school activities occur. SB 350's language would create confusion when different jurisdictions' schools operate on different schedules and ignores summer school and holiday break sessions.

Finally, SB 350 would require that the citizen "ombudsman" for a speed camera program must be subject to the approval of the governing body of the local jurisdiction. For counties currently operating speed camera programs, the ombudsman will very likely be a law enforcement officer or civilian employee of the local law enforcement agency. The language would set an undesirable precedent of vesting an administrative-level law enforcement personnel decision with the local political body, essentially making the position a political appointment.

In conclusion, MACo believes that any speed camera program should be based on valid public safety concerns and have a high level of public confidence and support. This Committee has invested considerable time and effort to create a practical and thorough speed camera reform bill. The three noted provisions of SB 350 would impose ill-considered and potentially confusing additional burdens on local programs and should instead be made identical to the provisions in HB 929. Accordingly, MACo recommends the Committee issue a report of **FAVORABLE WITH AMENDMENTS** on SB 350.