



Senate Bill 350

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Judicial Proceedings Committee

Date: February 11, 2014

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** Senate Bill 350 **WITH AMENDMENTS**. Most of the bill's provisions represent the work of a speed camera stakeholders' workgroup that worked on legislation last Session, but do not include subsequent progress by the workgroup over the 2014 interim.

During the 2013 Session, the House Environmental Matters 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*. With several exceptions, SB 350 is essentially the amended version of HB 929 of 2013.

However, the Environmental Matters Committee requested that the involved stakeholders, including MACo, continue to meet over the 2014 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.

As the provisions of SB 350 are not representative of the final product of the stakeholder workgroup, MACo requests that SB 350 be amended to mirror SB 652. The key components of SB 652, which are also in SB 350, include:

- Defines "school zone" in State law
- Prohibits a local jurisdiction from issuing citations when placing a camera in a new location until at least 15 calendar days after required signage is installed
- Requires speed camera signage to comply with State Highway Administration standards

- Requires each local jurisdiction with a speed camera program to create an "ombudsman" to respond to citizen questions and concerns and void erroneous violations without a citizen having to go to court
- Requires each local jurisdiction with a speed camera program to designate a program administrator to oversee the program and participate in a best practices training course at least once every two years
- Requires a local jurisdiction's contract with a speed camera vendor to contain certain penalty and cancellation clauses if the vendor submits a certain percentage of erroneous violations for review or violates the law
- Clarifies that a duly authorized law enforcement officer must review every issued citation
- Prohibits a local jurisdiction from making a vendor's fee contingent on a per-ticket basis on the number of citations issued or paid - existing contracts may continue for no more than 3 years
- Makes other minor clarifications and technical changes

MACo is supportive of all of these key provisions and believe that they will make for better-run and more transparent speed camera programs.

There are two provisions in SB 350 that are not contained in SB 652 and that MACo does not support. The first is a requirement to have an independent laboratory conduct quarterly, rather than an annual, calibration of a speed camera. The cameras are designed for annual calibration and are subject to daily diagnostic and self-tests. Quarterly calibrations serve no additional purpose. The second provision would limit the operation of speed cameras in school zones to the "regular school year." As was considered when the original speed camera legislation was enacted, school activities take place throughout the year and the current law reasonably limits the use of cameras to Monday through Friday, 6:00 AM to 8:00 PM.

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. The provisions of SB 350 will help achieve that goal but the bill's language should reflect the more finished provisions found in SB 652. Accordingly, MACo recommends the Committee issue a **FAVORABLE WITH AMENDMENTS** report on SB 350.