

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 390

(Senator Smith)

Judicial Proceedings

Environment and Transportation

Motor Vehicles - Speed Monitoring Systems - Statements and Certificates of Violations

This bill authorizes a technician employed by or under contract with an agency (rather than only a duly authorized law enforcement officer) to (1) sign a statement in a citation alleging a speed monitoring system violation and (2) swear to or affirm (for evidentiary reasons) that a speed monitoring system violation occurred (after inspection of a recorded image and on a specified certificate). The bill also requires a duly authorized law enforcement officer or a technician employed by or under contract with an agency to complete “reasonable training” specific to the speed monitoring system before certifying any certificates of violation. “Reasonable training” means a level of education, instruction, and practical experience sufficient to ensure competency in the inspection and interpretation of the recorded images generated by the speed monitoring system.

Fiscal Summary

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

Local Effect: The bill may result in administrative efficiencies for local jurisdictions that utilize speed monitoring systems; otherwise, the bill is not anticipated to materially affect local government operations or finances as training is already provided.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Under current law, for purposes of speed monitoring systems implementation, an “agency” means:

- a law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; or
- for a municipal corporation that does not maintain a police force, an agency established (or designated) by the municipal corporation to implement speed monitoring systems.

Under current law, a citation mailed to a person whose vehicle was recorded by a speed monitoring system must include specified information, including a copy of the recorded image and a signed statement by a *duly authorized law enforcement officer* employed by, or under contract with, an agency that, based on an inspection of recorded images, the motor vehicle was being operated in violation of a speed restriction. The bill expands this provision by specifying that the statement may instead be signed *by a technician* employed by or under contract with an agency.

Under current law, a certification alleging that a violation occurred, sworn to or affirmed by a *duly authorized law enforcement officer* employed by (or under contract with) an agency, based on the inspection of a recorded image produced by a speed monitoring system, is evidence of the facts contained in the certificate and is admissible in any proceeding concerning the alleged violation. The bill expands this provision by specifying that the certificate may instead be sworn to or affirmed *by a technician* employed by or under contract with an agency.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 282 of 2024 and HB 139 of 2023.

Designated Cross File: HB 343 (Delegate Stewart) - Environment and Transportation.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Maryland Association of Counties; Baltimore City; Baltimore, Harford, and Prince George's counties; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2025
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