



# THE PRINCE GEORGE'S COUNTY GOVERNMENT


## Office of Audits and Investigations


March 15, 2022

### FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.  
Council Administrator

William M. Hunt  
Deputy Council Administrator

THRU: Josh Hamlin   
Director of Budget and Policy Analysis

FROM: Kassandra Fields   
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement  
CB-010-2022 School Bus Camera Monitoring

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**CB-010-2022** (*Proposed by the Chair of the Council at the request of the County Executive*).

Assigned to the Committee of the Whole

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**AN ACT CONCERNING** school bus camera monitoring for the purpose of changing the amount which may be paid by any person choosing to prepay the civil penalty without appearing in the District Court of Maryland; shall be \$250, which includes costs.

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### Fiscal Summary

**Direct Impact:**

*Expenditures:* None.

*Revenues:* None.

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VOICE (301) 952-3431; FAX (301) 780-2097; TDD (301) 925-5167**

**Indirect Impact:**

None anticipated.

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**Legislative Summary:**

CB-010-2022, presented by Chair Hawkins at the request of the County Executive, was presented to the Council on March 1, 2022 and referred to the Committee of the Whole (COW). CB-010-2021 modifies the civil penalty reflected in the County Code for violations relating to overtaking and passing school vehicles from one hundred fifty dollars (\$150) to two hundred fifty dollars (\$250). Additionally, language is included that refers back to the District Court of Maryland Administrative Regulation for any subsequent revision to the penalty amount.

**Current Law/Background:**

*State Law*

Pursuant to Section 21-706.1 of the Transportation Article of the Annotated Code of Maryland, a law enforcement agency, in consultation with a county board of education, is authorized to place school bus monitoring cameras on county school buses for the purpose of recording motor vehicles committing violations relating to overtaking and passing school vehicles<sup>1</sup>.

Section 21-706.1(e)(1) of the same section of the Transportation Article provides that the driver of the motor vehicle in violation of this code is subject to a civil penalty, if the motor vehicle is recorded by the school bus monitoring camera during the commission of the violation.<sup>2</sup> The civil penalty may not exceed \$500. The Code sets forth that the District Court shall prescribe the uniform citation form along with the civil penalty fine schedule for those persons who choose to prepay the penalty without appearing in District Court.

Pursuant to the Transportation Article Section 21-706.1 of the Annotated Code of Maryland, the District Court establishes and updates administrative regulations periodically. The most recent revision was published October 1, 2021. The amount which may be paid by any person choosing to prepay the civil penalty associated with violation of the school bus monitoring citations, without appearing in the District Court of Maryland shall be \$ 250.00, which includes costs<sup>3</sup>. The Chief Judge of the District Court of Maryland originally revised this penalty in 2017<sup>4</sup>.

*County Law*

In May, 2013, the Council adopted CB-013-2013, which established Sec. 26-120.1., *Authority to install and utilize school bus cameras*, of the County Code. As such, Prince George's County was

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<sup>1</sup> [https://mgaleg.maryland.gov/2020RS/Statute\\_Google/gtr/21-706.1.pdf](https://mgaleg.maryland.gov/2020RS/Statute_Google/gtr/21-706.1.pdf)

<sup>2</sup> [https://mgaleg.maryland.gov/2020RS/Statute\\_Google/gtr/21-706.1.pdf](https://mgaleg.maryland.gov/2020RS/Statute_Google/gtr/21-706.1.pdf)

<sup>3</sup> [https://mdcourts.gov/sites/default/files/import/district/admin\\_regulations.pdf](https://mdcourts.gov/sites/default/files/import/district/admin_regulations.pdf)

<sup>4</sup> <https://mdcourts.gov/sites/default/files/import/district/dcar/XXXIV-AdmReg.pdf>

authorized to implement a school bus monitoring camera program to help regulate traffic. In concert with State law, the Chief of Police, in consultation with the Board of Education, is authorized to install, operate, and maintain school bus monitoring cameras on school buses. At the time of adoption, the County code published the civil penalty to be imposed for any violation of the aforementioned sections of State and County law. A person who committed a violation recorded by a school bus monitoring camera was subject to a civil penalty of One Hundred and Fifty Dollars (\$150.00).

The Code allows for the use any fines collected by the County for a violation recorded by a school bus monitoring camera to recover the costs of installing, operating, and maintaining school bus monitoring cameras; and for public safety purposes, including pedestrian safety programs.<sup>5</sup>

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### **Discussion/Policy Analysis:**

CB-010-2022 essentially serves as a housekeeping measure. As discussed above, the State authorizes the *District Court* to prescribe the civil penalty fine schedule for those persons who choose to prepay the penalty without appearing in District Court. Since 2017, the penalty has been Two Hundred Fifty Dollars (\$250.00)<sup>6</sup>. When CB-013-2013, relating to this provision, was originally adopted by the County, the One Hundred Fifty Dollars (\$150.00) fine was in effect through the District Court regulation. However, a reference to any future revisions to the schedule was not included in County Code. Since the amount can be changed at any time by the District Court, it is prudent to refer to the District Court of Maryland Administrative Regulation under the civil penalty for School Bus Monitoring violation, rather than a specific amount within the County Code.

In consultation with Administration, it was established that the school bus program has been charging \$250 for the violation, in accordance with the most current regulation promulgated by the District Court in 2017, as opposed to the outdated \$150 amount that is specified in the existing County code under consideration in conjunction with CB-010-2022<sup>7</sup>.

There are currently 1,289 school bus cameras in operation within the County. The entire Prince George's County Public School (PGCPS) fleet was outfitted with cameras in 2020. It has been reported that there are no plans to add bus routes or buses, at this time<sup>8</sup>.

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### **Fiscal Impact:**

*Direct Impact:*

*None.*

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<sup>5</sup> <file:///C:/Users/KEFields/Downloads/B2013013.pdf>

<sup>6</sup> <https://mdcourts.gov/sites/default/files/import/district/dcar/XXXIV-AdmReg.pdf>

<sup>7</sup> Email exchange from Ms. Tonya L. James, Director, Public Safety Programs, Revenue Authority dated March 8, 2022.

<sup>8</sup> Id.

*Indirect Impact:*

None likely.

*Appropriated in the Current Fiscal Year Budget:*

Yes.

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**Effective Date of Proposed Legislation**

The proposed Act shall take effect forty-five (45) calendar days after it becomes law.

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If you require additional information, or have questions about this fiscal impact statement, please call me.