

the bill adds these provisions to the Criminal Law Article. There is no procedure in the bill for a person charged to obtain the presence of a State's witness to testify regarding the surveillance equipment or the recorded image. I have serious due process concerns with this procedure.

Senate Bill 312 is another step toward the pervasive use of cameras by the government to monitor and regulate the conduct of its people. There may be times when this type of surveillance is appropriate. I am, however, reluctant to approve its use in the absence of extraordinary circumstances.

Although Senate Bill 312 applies only in Baltimore City, it has statewide implications. Similar to House Bill 443, the Montgomery County speed camera bill, Baltimore City would be the first jurisdiction in the State granted this authority. This would establish a precedent for other counties to seek this authority and, accordingly, is the first step to statewide implementation.

For the above stated reasons, I have vetoed Senate Bill 312.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

Senate Bill No. 312

AN ACT concerning

Baltimore City - Illegal Dumping - Surveillance Systems

FOR the purpose of authorizing the Baltimore City Department of Public Works (Department) to place certain surveillance systems at certain dumping sites in Baltimore City for a certain purpose; providing that certain persons recorded on a surveillance image while committing a certain littering offense are subject to certain penalties; ~~requiring the Department to mail a certain citation to the owner of a motor vehicle that is recorded on a certain surveillance image being used in the commission of a certain violation;~~ establishing a maximum fine for a violation of certain laws or ordinances relating to littering that are enforced by means of a surveillance system; requiring the District Court, in consultation with the Department, to prescribe a certain citation form; requiring the Department to mail a certain citation to the owner of a motor vehicle that is recorded on a certain surveillance image being used in the commission of a certain violation; requiring a citation to include certain information; authorizing the Department to send a warning instead of a citation; requiring a citation to be mailed within a certain time period; providing that persons who receive a certain citation may pay the civil penalty or may elect to stand trial in the District Court; establishing that a certain certificate may be evidence of certain facts and shall be admissible in a certain proceeding; establishing the standard of proof for a violation of law enforced by means of a surveillance system under this Act; establishing certain defenses that the District Court may consider for a violation enforced by means of a surveillance system under this Act; authorizing a vehicle owner to submit certain evidence to the court to establish certain