

or (3) any other issues and introducing any other evidence that the District Court deems pertinent. A violation may not be recorded on the driving record of the owner and may be considered a parking violation for purposes of registering or suspending a registration for an unpaid citation.

House Bill 111 is similar to House Bill 443 – *Montgomery County – Vehicle Laws – Speed Monitoring Systems*, which I have also vetoed today. Although I realize that illegal dumping and littering is a serious quality of life issue, I have the same due process and privacy concerns with House Bill 111 that I have with House Bill 443.

Specifically, House Bill 111 will allow the State to charge, try, and convict an individual solely through the use of a photograph of a vehicle. This bill takes what has traditionally been a violation of the criminal law, redefines a violation to be a civil offense, lowers the burden of proof to the civil standard, and abridges the right to confront the witnesses against the accused. Although purporting to be a civil offense, 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.

House Bill 111 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 House Bill 111 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 House Bill 111.

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

House Bill No. 111

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