

Privacy Issues

House Bill 443 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.

Safety Issues

Although proponents assert this bill will improve traffic safety, the evidence on this issue is incomplete. There has been little study of the effectiveness of speed cameras on improving traffic safety. At present, the Transportation Research Board is undertaking a comprehensive study of this issue. On a related issue, Virginia recently refused to reauthorize the use of red light cameras based on a study showing that the use of such cameras increased the risk of accidents. Therefore, it is appropriate to await the results of a thorough study before concluding that speed cameras improve traffic safety.

“Local Bill”

House Bill 443 applies only in Montgomery County. It does, however, have profound statewide ramifications. First, it applies to anyone who drives in Montgomery County. Undoubtedly there are many commuters from other parts of the State and from other states who use these roads on a daily basis. Second, Montgomery County would be the first jurisdiction in the State to be granted this authority. This would establish a precedent for other counties to seek this authority and, accordingly, is the first step to a statewide system.

Residential Districts

House Bill 443 applies to residential districts with a maximum posted speed limit of 35 miles per hour. Section 21-101 of the Transportation Article defines a residential district as “an area that: (1) is not a business district; and (2) adjoins and includes a highway where the property along the highway for a distance of at least 300 feet is improved mainly with residences or residences and buildings used for business.” Information received from the Department of Transportation shows there are many State highways that would qualify as “residential areas” under the bill, some of which are four and six lane highways. These include parts of Connecticut Avenue, Massachusetts Avenue, and Viers Mill Road. Hundreds, if not thousands, of tickets could be issued daily on these roadways to people who are simply traveling with the flow of traffic. In this regard, the District of Columbia government web page contains a statement dated March 18, 2004, boasting that in the first 15 days of operation a single stationary speed camera found more than 10,000 motorists to be speeding.

Revenue Enhancement Issues

The advocates of House Bill 443 are sincere in their desire for increased highway safety, a goal on which we can all agree. It is clear that for governments, however, speed cameras are also an effective revenue raising measure. In January of this year The Washington Times published a letter from District of Columbia Mayor Anthony A. Williams urging the City Council to approve a contract for a speed camera vendor, stating: “There is an urgent need for the approval of this contract to ensure the