

Automated Speed Photo Enforcement (ASPE) Program

508.1 PURPOSE

This policy establishes the administrative and legal framework for the St. Mary's County Automated Speed Photo Enforcement (ASPE) Program. The purpose of the program is to reduce speeding, enhance pedestrian and student safety, and promote compliance with established speed limits in designated school zones.

508.2 AUTHORITY

The St. Mary's County Automated Speed Photo Enforcement Program is authorized pursuant to Ordinance No. 2024-02 of the Commissioners of St. Mary's County and § 12-113.1 and § 21-809 of the Transportation Article of the Annotated Code of Maryland, as amended. The Sheriff's Office shall administer the program in accordance with these authorities, applicable County requirements, and other applicable State and Federal law.

508.3 SCOPE

- (a) This policy applies to all Automated Speed Photo Enforcement systems administered by the St. Mary's County Sheriff's Office on roadways approved for ASPE enforcement in accordance with applicable law and roadway authority requirements.
- (b) This policy applies to all Sheriff's Office personnel, contractors, vendors, and other authorized persons or entities involved in the administration, operation, maintenance, or enforcement of the ASPE Program.

508.4 DEFINITIONS

- (a) Automated Speed Photo Enforcement (ASPE) Program - The St. Mary's County automated speed enforcement program utilizing speed monitoring systems to enforce applicable speed limits in authorized school zones.
- (b) Speed Monitoring System – A device with one or more motor vehicle sensors that produces recorded images of motor vehicles traveling at speeds at least twelve (12) miles per hour above the posted speed limit.
- (c) School Zone - A designated roadway segment within up to a half-mile radius of a school for any grades kindergarten through grade 12 where school-related activity occurs.
- (d) Program Administrator – The Commander of the Special Operations Division, or such other person designated by the Sheriff, responsible for overseeing the contract with the speed monitoring system contractor and administration of the ASPE Program. The Program Administrator may not be an employee or representative of the speed monitoring system contractor.

Automated Speed Photo Enforcement (ASPE) Program

- (e) Speed Monitoring System Operator – A representative of the Sheriff's Office or contractor who operates a speed monitoring system.
- (f) Vendor - The contractor selected by St. Mary's County to provide speed monitoring systems and associated services to the Sheriff's Office pursuant to the applicable contract and law.
- (g) Local Designee – An official or employee designated by the Sheriff to investigate and respond to questions or concerns regarding the ASPE Program and to conduct administrative review of citations as authorized by applicable law and County ordinance. The Local Designee shall remain independent from the initial citation review and approval process and may not be employed by the speed monitoring system contractor.

508.5 PROGRAM GOALS AND PRINCIPLES

- (a) Enhance student and pedestrian safety in and around schools.
- (b) Use ASPE as part of a comprehensive engineering, enforcement, and education strategy to reduce speeding and traffic collisions.
- (c) Administer the program with transparency, fairness, and accountability.
- (d) Protect individual privacy and maintain the integrity of program data and evidence.

508.6 OPERATING HOURS

ASPE systems located within an authorized school zone may operate only between 6:00 a.m. and 8:00 p.m., Monday through Friday, including during summer months and holidays occurring Monday through Friday, as permitted by law.

508.7 VIOLATION THRESHOLD

A vehicle must be traveling at least twelve (12) miles per hour above the posted speed limit for a recorded image to qualify for review and potential issuance of a civil citation.

508.8 SITE SELECTION AND APPROVAL

- (a) ASPE locations shall be selected and approved in accordance with applicable law, County requirements, and established traffic engineering and public safety considerations.
- (b) Prior to activation, each location shall be reviewed to ensure that it qualifies as an authorized school zone and that all required approvals, signage, public notice, and other statutory requirements have been satisfied.
- (c) The Sheriff's Office shall maintain a current list of approved ASPE locations and shall ensure that required location information is made available to the public in accordance with law.

St. Mary's County Sheriff's Office

LE Policy Manual

Automated Speed Photo Enforcement (ASPE) Program

508.9 SIGNAGE, PUBLIC NOTICE AND PRE-ENFORCEMENT PERIOD

- (a) Required signage notifying motorists of automated speed enforcement shall be installed at each ASPE location in accordance with applicable law and roadway authority requirements.
- (b) Prior to activation of enforcement at a new ASPE location, the Sheriff's Office shall ensure that all required public notice requirements have been satisfied.
- (c) When a speed monitoring system is moved or placed to or at a location where a speed monitoring system had not previously been moved or placed, a citation shall not be issued until the required signage has been installed and for at least the first fifteen (15) calendar days after installation of the signage, in accordance with applicable law and County ordinance.

508.10 IMAGE REVIEW AND CITATION ISSUANCE

- (a) Each potential violation shall be reviewed and approved only by a duly authorized Sheriff's Office law enforcement officer or an agency employed authorized technician who has completed required training prior to authorizing issuance.
- (b) The approving officer/authorized technician shall certify the violation based upon inspection of the recorded images and completion of required training.
- (c) Potential violations reviewed by contractor personnel shall not be approved for issuance and may only be queued for agency review.

508.11 EVIDENCE HANDLING AND ACCESS

- (a) Recorded images and associated data generated by the ASPE Program shall be maintained, accessed, used, disclosed, retained, and destroyed in accordance with applicable law and established Sheriff's Office procedures.
- (b) Access to recorded images and associated data shall be limited to authorized personnel and shall be appropriately controlled and documented.
- (c) Recorded images and associated data shall be accessed and used only for authorized purposes in accordance with Transportation Article § 12-113.1 and other applicable law.
- (d) Requests to access or use recorded images and associated data for purposes other than the enforcement action for which the information was collected shall be handled in accordance with applicable law and established procedures.

508.12 CALIBRATION, MAINTENANCE AND TESTING

- (a) ASPE systems shall be tested, calibrated, maintained, and operated in accordance with applicable law, manufacturer requirements, and established procedures.

St. Mary's County Sheriff's Office

LE Policy Manual

Automated Speed Photo Enforcement (ASPE) Program

- (b) Required daily operational self-tests shall be performed, or reviewed and evaluated, and the required daily set-up log shall be completed and signed.
- (c) Each speed monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory selected by the County and unaffiliated with the manufacturer of the speed monitoring system.
- (d) Required calibration certificates, testing records, and maintenance documentation shall be maintained in accordance with applicable law and established procedures.
- (e) A speed monitoring system with an expired calibration certificate or a known malfunction or technical condition that may affect the accuracy or reliability of the system shall not be utilized for enforcement until the condition has been corrected and the system is determined to be operating properly.

508.13 DATA SECURITY AND RETENTION

- (a) Recorded images and associated data that do not constitute evidence of a violation shall be immediately removed from program records and destroyed in accordance with Transportation Article § 12-113.1.
- (b) Recorded images and associated data that constitute evidence of a violation shall be retained only for the period authorized by law and shall thereafter be removed and destroyed in accordance with established procedures.
- (c) Recorded images and associated data shall be securely stored with access limited to authorized personnel and shall be protected from unauthorized access, use, disclosure, alteration, or dissemination.
- (d) Prior to destruction, data may be disaggregated for legitimate program analysis or statistical purposes provided the resulting information does not identify any individual or vehicle.

508.14 CIVIL PENALTIES AND PAYMENT

- (a) A civil penalty of forty dollars (\$40.00) shall be assessed for each ASPE citation issued in accordance with this policy and applicable law.
- (b) An ASPE violation is a civil violation and shall not result in the assessment of motor vehicle points or be recorded on the driving record of the owner or driver.
- (c) Payment, collection, and disposition of civil penalties shall be administered in accordance with applicable law, County requirements, and established procedures.

508.15 CONTESTING CITATIONS AND ADMINISTRATIVE REVIEW

- (a) Each citation shall provide information regarding the recipient's right to contest liability and the procedures for requesting a hearing.
- (b) A person receiving a citation may request administrative review by the Local Designee prior to the deadline for contesting liability.

St. Mary's County Sheriff's Office

LE Policy Manual

Automated Speed Photo Enforcement (ASPE) Program

- (c) The Local Designee shall review the citation and available program records and shall void the citation when the Local Designee determines that the citation constitutes an erroneous violation as defined by applicable law. When the Local Designee determines that a person did not receive notice of a citation due to an administrative error, the Local Designee may resend or void the citation in accordance with applicable law and established procedures.
- (d) A person receiving a citation may contest liability in the District Court of Maryland in accordance with applicable law.
- (e) Authorized Sheriff's Office personnel shall provide testimony and evidence in contested cases as required.

508.16 VENDOR REQUIREMENTS

- (a) Vendors providing equipment or services in support of the ASPE Program shall comply with applicable Federal, State, and local laws, County requirements, contractual obligations, and applicable Sheriff's Office policies and procedures.
- (b) Vendors shall maintain the security, integrity, accuracy, and confidentiality of ASPE systems, recorded images, associated data, and program records in accordance with applicable law and contractual requirements.
- (c) Vendors shall cooperate with authorized audits, inspections, records requests, court proceedings, and other program oversight activities as required by law or contract.
- (d) The Sheriff's Office shall monitor vendor performance and compliance and shall promptly address identified deficiencies through established County and contractual processes.
- (e) Compensation paid to a speed monitoring system contractor shall not be contingent on a per-ticket basis on the number of citations issued or paid, as prohibited by applicable law.

508.17 TRAINING AND QUALIFICATIONS

- (a) Personnel assigned responsibilities under the ASPE Program shall complete all training and qualification requirements established by law, regulation, manufacturer requirements, and Sheriff's Office procedures applicable to their assigned duties.
- (b) Training shall address, as applicable, program operations, citation review, privacy and data handling, evidence requirements, system operation, and applicable statutory and regulatory requirements.
- (c) Required training and qualifications shall be documented and maintained in accordance with established procedures.

508.18 FINANCIAL CONTROLS AND USE OF REVENUE

- (a) The ASPE Program shall be administered for the purpose of promoting traffic safety and compliance with applicable speed limits and shall not be operated for the purpose of generating revenue.

Automated Speed Photo Enforcement (ASPE) Program

- (b) Revenue generated by the ASPE Program shall be received, accounted for, and administered in accordance with applicable law, County ordinance, and established financial procedures.
- (c) The County may recover authorized costs associated with implementation and administration of the ASPE Program. Any remaining revenue shall be used solely for public safety purposes. The specific use and allocation of remaining revenue shall be determined by the Commissioners of St. Mary's County through the annual budget process.
- (d) Financial records associated with the ASPE Program shall be maintained in a manner sufficient to support accountability, required reporting, reconciliation, and audit requirements.

508.19 PROGRAM EVALUATION AND REPORTING

- (a) The ASPE Program shall be periodically evaluated to assess its effectiveness in promoting traffic safety and reducing speeding within designated school zones.
- (b) Program evaluation may include, as appropriate, speed data, traffic collision trends, citation data, pedestrian and student safety considerations, public feedback, system performance, and other relevant information.
- (c) The Sheriff's Office shall maintain program data and records necessary to satisfy applicable State and County reporting requirements.
- (d) An annual report shall be filed with the Commissioners of St. Mary's County and the Maryland Police Training and Standards Commission by October 31st each year as required by § 21-809(k)(2) of the Transportation Article of the Annotated Code of Maryland.
- (e) The annual report shall include all information as outlined in the Transportation Article of the Annotated Code of Maryland and the St. Mary's County Ordinance 2024-02.

508.20 COMPLIANCE AND CORRECTIVE ACTION

- (a) The ASPE Program shall be administered and operated in accordance with applicable Federal, State, and local laws, County requirements, contractual obligations, and Sheriff's Office policies and procedures.
- (b) Any identified deficiency or noncompliance that may affect the legality, accuracy, integrity, security, or reliability of ASPE operations shall be promptly evaluated and appropriate corrective action taken.
- (c) When a deficiency may affect the validity or reliability of enforcement activity, the affected ASPE system or process shall be suspended as appropriate until the deficiency has been corrected.
- (d) Corrective action may include additional training, modification of procedures or practices, equipment repair or maintenance, suspension of affected operations, vendor corrective action, or other measures necessary to restore compliance.

St. Mary's County Sheriff's Office

LE Policy Manual

Automated Speed Photo Enforcement (ASPE) Program

- (e) Employee misconduct or failure to comply with Sheriff's Office policy shall be addressed in accordance with applicable Sheriff's Office policies and procedures.