



Frequently Asked Questions: **Town of Smithsburg** Automated Speed Enforcement Program

What is Automated Speed Enforcement

In October 2009 the State of Maryland authorized the use of Automated Speed Monitoring Systems (speed cameras) in School and Highway Work Zones. The system uses radar technology to measure the speed of every vehicle that passes the camera. **Vehicles found to be exceeding the posted speed limit by at least 12 miles per hour** will be photographed to document the violation and determine the vehicle's registered owner. After the violation is reviewed and approved by a certified Officer, a citation, including the violation photos and the vehicle's speed, will be sent to the registered owner.

Why is the Town choosing to utilize this type of technology?

Speeding is a serious problem Nationwide. In 2007, Speed-related crashes accounted for 28% of all Maryland traffic fatalities. According to the Federal Government, almost half of all speeding fatalities occurred on local and collector roads which are generally low speed roads found in business and residential areas. The Police department and Town officials are using this technology as a tool to assist Police in enforcing posted speed limits, ensuring the safety of both our children and citizens.

How will I Know if I'm in a Speed Camera Zone?

“Photo Enforced” Signs will be placed beneath the Speed Limit signs alerting drivers that Speed Cameras may be in use.

What do I do if I receive a Citation?

How much is the fine?

The maximum fine is \$40.00 for each violation and is stated on the Citation. Since the violations are being treated as civil and not criminal violations, no license points are assessed and vehicle insurance providers are not notified.

How much time do I have to pay my Speed Citation?

You must pay the civil penalty on or before the due date indicated on the Citation.

What are my Options?

Two Options are available: **PAY THE FINE OR CONTEST THE CITATION**

OPTION I. Pay the Fine

Pay Online: Logon to www.OnlineCitationPayment.com by entering the Citation Number and License Plate Number noted on your Citation. There is a \$3.95 convenience fee for paying on-line, assessed at the time of payment.

Pay By Mail: Mail your check or money order (payable to the Town of Smithsburg Photo Enforcement Program) in the return envelope provided. Be sure to include the payment stub from the bottom of the notice you received along with your payment. Please do not send cash.

Pay By Credit Card: A Toll Free number has been established for the Town and is noted on the Citation. VISA and MasterCard are accepted and there is a \$3.95 convenience fee for the service. A transaction confirmation number will be provided, as well as an email confirmation for your permanent records if you wish.

OPTION II. Contest the Citation

Any vehicle owner who receives a Citation has the option to contest. Citations may be contested in Maryland District Court, and detailed instructions are included on each Citation.

Will the Operator be Present In Court?

The Speed Monitoring System operator is not required to be in court. However, you may request the presence of the operator by submitting a written request for the operator's presence no later than twenty (20) days before your scheduled court date.

What if My Vehicle and/or license plates were stolen at the time of the violation?

If your vehicle and/or license plates were stolen when the infraction took place you should request an in-person hearing. Enclose a copy of the police report for the vehicle/plates with the request.

What if I was not the operator of the car at the time the violation took place; am I still liable?

If you, as the registered owner of the vehicle, were not operating the vehicle at the time of the infraction, you may choose to identify the driver by completing the Transfer of Liability form attached to the Citation and following the instructions. The Police department has the discretion to then forward the Citation to the individual you have identified as the driver.

You are eligible to Transfer Liability if you fall into one of the following categories:

If you or your company were not operating the vehicle at the time the Citation was issued.

You have corroborating evidence that supports your statement and representations that you were not operating the vehicle at the time of the violation.

Examples of corroborating evidence which have been acceptable to the District Court:

- Work: Provide a certified statement from your employer confirming you were working at the time the violation took place.
- Travel: Travel documents (airline, train, bus tickets) or a hotel receipt confirming your name, dates of travel and destination.
- Loan of Vehicle to Friends / Relatives: Letter from the individual accepting responsibility for the violation and confirming you were not operating the vehicle. The name, address and Drivers License number of the individual must be provided.
- Vehicle Being Serviced: Copy of repair bill / invoice that confirms the vehicle was being serviced at the time the violation took place. Contact information (name, address, telephone number) for the service station or repair shop must appear on the statement.
- Vehicle Sold: Copy of the Vehicle's Bill of Sale.
- Military Duty: Copy of Military Orders or Certified statement from Commanding Officer that the individual cited was in military service or deployed at the time the violation occurred.
- Deceased: Death certificate and a certified statement from the estate administrator

What happens if the Transfer of Liability request is denied?

If your request is denied for any reason the citation will be reissued to the registered owner and you will be responsible for payment.

What happens if I ignore the Violation Notice?

Failure to pay the civil penalty or to contest liability prior to the Due By Date on the Citation is an admission of liability and will result in late penalties. Continued failure to pay may result in the refusal or suspension of the motor vehicle registration.

If I pay the fine, can I then contest it or ask for a hearing?

No. Once you have paid a fine it is considered an admission of liability and requests to contest or schedule a hearing will not be granted.

If I pay the fine, will my insurance rates increase?

No. An admission of liability will not result in points and cannot be used to increase your insurance rates.

How do I know these violations are valid?

Images of your vehicle were captured and recorded by an Automated Speed Photo Enforcement System which uses a Doppler radar to track all vehicles as they pass through the detection zone. The speed of each vehicle is calculated using the “Doppler Shift” and confirmed using a time over distance calculation to verify accuracy. The unit is calibrated and tested daily, and undergoes an Annual Calibration Verification by an independent test laboratory.

If the vehicle is found to be exceeding the posted speed limit, a series of images are taken. These images passed a two part review process by qualified technicians before being submitted to the Smithsburg Police Department for final review and approval. The alleged Speed Monitoring System Citation is then mailed to the registered owner or identified driver. Confirmation of the owner’s name, address and vehicle registration information was provided to the Police Department by the Maryland Motor Vehicle Administration.

Isn’t it a violation of my privacy to have a camera photograph my vehicle without my permission?

No. Individuals applying for a Driver’s License are agreeing to abide by the established Rules of the Road. Speed Enforcement Cameras only capture images of vehicles whose drivers have chosen to violate the established laws by speeding, and according to established Court doctrine, individuals who are breaking the law forfeit their privacy rights.

When is the Town using Speed Enforcement Cameras?

Speed Enforcement Cameras will be operational between the hours of 6am-8pm Monday thru Friday.

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Where is the County using Speed Enforcement Cameras?

The School Zones being enforced within the Town of Smithsburg are designated by very visible signs.

Any streets within a ½ mile radius of a school are eligible for Speed Photo Enforcement.