

# Md. appeals court: Cops must pay speed-camera tickets

By: [Brian Hughes](#) 01/27/11 8:05 PM

*Examiner Staff Writer*

A Montgomery County judge incorrectly threw out speed-camera tickets given to four police officers, said the state's highest court in a ruling that orders on-duty cops to pay the \$40 fine like other Marylanders.

Circuit Court Judge Ronald Rubin had tossed the tickets for the speeding officers -- including two who were driving twice the 25 mile-per-hour limit -- citing the police department's lack of a written policy for ticketing its own. None of the officers was responding to an emergency.

However, the Maryland Court of Appeals ruled the officers had ample opportunity to contest their tickets and that police could violate traffic laws only if reacting to an emergency, pursuing a suspect or responding to a fire alarm.

"The provisions of [state code] make clear that drivers of emergency vehicles are subject to the rules of the road except under extremely limited, specifically delineated circumstances," the opinion says.

Many county residents say the speed cameras are less about saving lives than raising money in the cash-strapped jurisdiction. And officials acknowledge that officers publicly fighting their tickets does not bolster the image of the program.

"I'm glad to hear that the Court of Appeals is saying there is one law for all people in Montgomery County," said Councilman Phil Andrews, D-Gaithersburg/Rockville. "When there is no rational reason why an officer is speeding, they should have to pay the ticket just like everyone else."

The court did not order the officers to pay the ticket but ruled against the legal argument for dismissing the fine. The cases were will be heard again in circuit court.

A lawyer for the officers argued that it was unreasonable to expect them to remember why they were speeding since they respond to so many incidents in a given day. And the county's police union advises its members not to pay the tickets.

When a police cruiser is photographed by a speed camera, officials check who was driving and whether the officer was responding to an emergency or needed to speed. Without either justification, the officer is told to pay the ticket, under police department practice.