

Maryland-Delaware Solid Waste Association

a chapter of the

**National
Waste & Recycling
AssociationSM**

Collect. Recycle. Innovate.

TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee
The Honorable Clarence K. Lam

FROM: Richard A. Tabuteau
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DATE: January 15, 2020

RE: **OPPOSE** – Senate Bill 41 – *Baltimore County – Vehicle Height Monitoring Systems*

The Maryland Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** Senate Bill 41.

Senate Bill 41 authorizes Baltimore County to place vehicle height monitoring systems on highways in Baltimore County if authorized by the Baltimore County Council. It would also allow a local law enforcement agency to issue fines upwards of \$500. MDSWA opposes this bill as it reflects the same concerns about the vehicle height monitoring system in Baltimore City.

In 2012, various stakeholders worked with the Baltimore City Department of Transportation to create a new truck route map consistent with State legislation that gave the City the authority to use vehicle height monitoring systems to detect and fine trucks on prohibited roadways. The parties reached an agreement that no more than six cameras would be deployed throughout the city, but that the cameras would be mobile to allow flexible enforcement in priority areas. Moreover, the City would upload authorized truck routes to the major GPS providers to help truck drivers identify the legal routes to use. In 2018, the City finally launched the cameras even though GPS systems still do not have the updated truck routes. Just a few months later, an ordinance was introduced in the City Council to remove the negotiated six camera cap.

The challenge as it relates to MDSWA is that garbage trucks are authorized to operate on the roadways of Baltimore County. In fact, dozens of trucks and workers perform essential waste

disposal services for County residents daily. Nevertheless, the proliferation of vehicle height monitoring cameras would unintentionally and unnecessarily capture these trucks and workers, subjecting them to potential fines and penalties that would be dismissed anyway. Currently, over 50% of vehicle height citations issued in Baltimore City are dismissed because trucking companies can demonstrate that they were lawfully operating on an otherwise prohibited route. Additional cameras would only increase the dismissal rate and cause disruption to the waste disposal industry as well as to residents that rely on these essential services while raising administrative costs on both the industry and the courts. Even the Fiscal Note states that “such systems tend to identify a greater number of false positives than other automated enforcement systems.” Any legislation to expand vehicle height monitoring systems should include provisions that expressly prevent violations from being issued to waste and recycling collection companies.

For the foregoing reasons, MDSWA urges the Senate Judicial Proceedings Committee to give Senate Bill 41 an unfavorable report.

For more information call:

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