

February 6, 2020

Mr. Chairman
Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

To: Mr. Chairman and members of the Judicial Proceedings Committee

Subject: Senate Bill 319

This letter is being submitted on behalf of Optotraffic in support of SB319.

Optotraffic based in Lanham, MD designs, builds and services cutting edge technologies for state and local agencies seeking violator funded public safety programs. With our comprehensive suite of back office support services, we work hand-in-hand with local government officials to increase public safety in communities throughout the U.S.

The dangers of highway stops are all too real:

- In the USA, 122 Law Enforcement Officer (LEO) fatalities from struck-by vehicles occurred during 2009 – 2018 according to the National Law Enforcement Officers Memorial Fund (NLEOMF)
- In the USA, 44 Emergency Responder (18 LEO, 9 Fire/EMS, 17 Tow/Mechanics) fatalities occurred from struck-by incidents in 2019 (ResponderSafety.com)
- In the USA, 8 Emergency Responder (3 LEO, 2 Fire/EMS, 3 Tow/Mechanics) fatalities occurred from struck-by incidents already in 2020 (ResponderSafety.com)
- In Maryland 100 collisions involving Coordinated Highway Action Response Team (CHART) responders have been recorded since 2016 (SHA)

It is no coincidence that according to a National Highway Traffic Safety Administration (NHTSA) fact sheet regarding move over laws, 71% of us aren't aware of these laws even though they have been enacted in all 50 states over the past 20 years. More recently many states, including Maryland have expanded the law to apply to service vehicles along with police cars, tow trucks and ambulances.



After witnessing a close call or even a side mirror impact while stopped on the beltway or other interstate highway, it is unrealistic for the law enforcement officer to stop what she or he is doing and pull out into heavy traffic to apprehend the violator each time. Because of this, more already limited law enforcement resources have to be dedicated to a traffic or emergency vehicle stop to allow for safer enforcement of the move over laws.

While Maryland law requires a driver to slow down to “a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions”, 13 states have gone further and tried to increase compliance with Move Over laws by establishing a speed threshold:

State	Speed Threshold
Alabama	15 MPH below posted
Florida	20 MPH below posted
Indiana	10 MPH below posted
Montana	20 MPH below posted
Oregon	5 MPH below posted
South Dakota	20 MPH below posted
Texas	20 MPH below posted
Wyoming	20 MPH below posted

State	Speed Threshold
Connecticut	below posted speed limit
Georgia	below posted speed limit
Idaho	below posted speed limit
Iowa	below posted speed limit
Nevada	below posted speed limit

Despite these law enforcement and policy solutions the bottom lines are:

- Move Over Law violations are difficult to detect – the officer is concentrating on the current stop
- Move Over Law violations are difficult to enforce – the officer must leave the current stop to pull over the violating vehicle
- Targeted Move Over Law enforcement requires extra manpower from already taxed jurisdictions

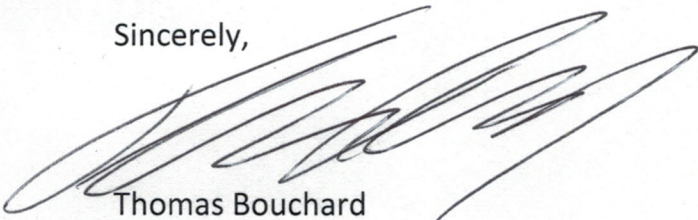


- Maryland State Police issued 1,347 citations & 4,979 warnings for Move Over violations during the first 9 months of 2019. This is a substantial effort but statistically insignificant compared to the 10's of thousands of vehicles passing by emergency responders in the adjacent lane each day on Maryland highways.

The end result is a very low ratio of move over law violations to actual citations, hence driver behavior is largely unchanged. SB319 seeks to address the challenge of how to change driver behavior regarding adherence to move over laws through the use of technology and the issuance of a civil fine for committing a violation – essentially a “poke in the shoulder” to remind all of us. Following similar provisions as already enacted in the photo speed and red-light enforcement laws, this proven approach based on our experience in the traffic safety enforcement industry will increase awareness of the move over laws and reduce the risk of injuries and or fatalities for all of our emergency responders.

Thank you for this opportunity to provide testimony on SB319.

Sincerely,



Thomas Bouchard
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