



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of House Bill 285

Workgroup on Statewide Vehicle Crash Data Collection and Reporting

Dear Chair Barve and Members of the Environment and Transportation Committee:

This bill was first introduced in 2020 as HB1324. Its hearing before this committee took place on March 5th, the same date on which Governor Hogan announced the state's first positive cases of COVID-19, and issued the State of Emergency Order. I hope that this year, this committee will enjoy more tranquil conditions for its deliberations and judge the bill favorably.

HB 285 addresses racial disparities in our transportation sector. It creates a workgroup that will determine how best to capture and report racial and ethnic identity information of Marylanders who are harmed in non-fatal vehicle crashes. This information is not currently available in a coherent, comprehensive, timely form to state agencies that need it; without it, African American, Latinx or Hispanic, and Native American Marylanders will continue to be at higher risk of preventable injuries.

Please note that after dropping this bill, I received feedback from two organizations: the Maryland Chiefs of Police Association-Maryland Sheriff's Association and the American Automobile Association. Both groups asked to be included in the proposed workgroup. I am fully supportive of their requests and welcome these proposed amendments, which have been sent for drafting.

The need for this bill arises from the principle that what gets measured, matters. The failure to measure racial and ethnic data delivers the message that disparate harm to these communities does not matter. I'm sure that the state does not intend to give that impression.

In Maryland, data about fatal vehicle crashes exists: police, highway and insurance companies count fatal crashes, and death certificates provide racial and ethnic information. But when it comes to non-fatal vehicle crashes—incidents involving cars and people that do not result in death—we do not capture any information, anywhere, about the race or ethnicity of people involved. This matters because some of our constituents are at greater risk of being injured by vehicle crashes than others. The state has an interest—and a duty—to understand and mitigate that risk. Unless we measure race and ethnicity in non-fatal vehicle crashes, we fail our interest and our duty to the public.

Nationally, data exists to prove that African Americans and Latinx people are disproportionately affected by vehicle crashes: they are more likely to be hit by a car and killed when walking; they are also more likely to be injured in vehicle crashes.¹ Research has shown that pedestrians of color are killed by motor vehicles at rates up to 4 times higher than white pedestrians; however, the only place where we capture

¹ Cook, Lindsey. "The Inequality of Who Gets Hit by Cars." *U.S. News & World Report*, U.S. News & World Report, 19 Oct. 2015, www.usnews.com/news/blogs/data-mine/2015/10/19/the-inequality-of-who-gets-hit-by-cars.

race and ethnic data is when there is a fatal crash, from the victims' death certificates. The elderly and young children—especially those of color—are also more likely to be hit by cars while walking.²

This national trend is likely to also exist in Maryland, but we really can't say for sure, because we don't collect any data on race or ethnicity when vehicle crashes occur. Without such data, we can neither understand, nor mitigate the factors responsible for driving this disproportionate risk.

One of the reasons that we do not collect data on race and ethnicity in vehicle crashes is because it's really difficult to do in Maryland. Many different organizations and agencies collect such data, but it is not standardized, and it's not shared. The Maryland Department of Transportation's own website clearly states that crash data "are an essential component in identifying and defining roadway safety problems" and "developing countermeasures in alleviating those problems".³ I first learned about the challenges of measuring race and ethnicity when I communicated in 2019 with Major Tawn Gregory, Chief Information Officer for the Maryland Department of State Police. There are many sectors and actors involved in gathering vehicle crash related information that necessitate careful, systematic, coordinated effort. Any changes will also necessitate systematic, coordinated effort.

We can learn from the example of other states that have wrestled with this challenging issue. In 2016, Colorado was the first state to pass a law allowing applicants to self-identify race or ethnicity on their driver's license or state ID card.⁴ Racial and ethnic data is not printed on the Colorado license but instead stored within the ID's magnetic strip, allowing law enforcement to access this data only when they swipe the ID and alleviating concerns of racial discrimination in other areas of ID use.

Colorado's experience is interesting but that doesn't mean we can simply replicate it in Maryland. We have to do the work of figuring out what makes sense for us here.

To that end, this bill establishes a workgroup that will figure out how to collect and report statewide crash data by race and ethnicity. Members of this workgroup will include all parties and stakeholders involved in this issue, from the Maryland State Police, the state Health Department and academic researchers with a specialty in injury prevention. The workgroup will develop recommendations to solve the problem.

This committee has been at the forefront of good public health policy through your leadership on complete streets and Vision Zero. But we will not enjoy all of the potential benefits that such policies were designed to deliver without attending to equity. This bill makes that possible.

This bill has no fiscal note and no opposition. I request a favorable report.

² Smart Growth America, and National Complete Streets Coalition. *Dangerous By Design*. Next City, 2017. accessed at: nextcity.org/pdf/dangerous-by-design-2016.pdf.

³ <http://www.mva.maryland.gov/safety/mhso/Maryland-Traffic-Safety-Data.htm>

⁴ <https://leg.colorado.gov/bills/hb16-1021>