



# Maryland Association of Election Officials

## Representing the Local Election Boards of the State of Maryland

4/2/2024

Senator Brian Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, Maryland 21401

### **HB641 - Information Only**

Chair Feldman, Vice Chair Kagan and Committee Members,

The Maryland Association of Election Officials (MAEO) appreciates the opportunity to present information regarding House Bill 641 – Election Law – Curbside Voting. As dedicated public servants, election officials are committed to ensuring that our polling places are as accessible as possible to all voters, in line with our sworn duties and the democratic values we uphold.

#### **Current Practice**

Currently, there are no formal curbside voting programs mandated for the local boards of elections. However, local boards are flexible when called upon and will work with voters on an individual basis to provide them with a mail-in ballot package in person at the local board office. This includes voters who are unable or unwilling to leave their vehicles.

#### **Incorporation of Curbside Voting in Future Polling Place Plans**

The introduction of curbside voting necessitates the adoption of new criteria for selecting polling locations, specifically the ability of a site to accommodate this form of voting. Examples of the new criteria that the implementation of curbside voting would introduce include ensuring adequate space for a line of cars and adjusting the placement of the 100 ft "No electioneering zone" to encompass the designated curbside parking area.

#### **Serious Concerns Regarding Technology Compatibility**

A significant challenge we face is the current lack of compatible technology to efficiently offer curbside voting. Our existing ballot marking devices (BMDs) and pollbook printers, although uniform in brand across the state, are not acceptable for outdoor or mobile use. Unlike the appropriate designs employed in other states that facilitate curbside voting, our equipment is not conducive to this voting method and could lead to damage to the equipment or injury to the judges.

#### **Election Security and Ballot Integrity**

The prospect of managing loose ballots outside our established zone of control presents a critical concern from an election security standpoint. Maintaining the integrity and secrecy of each vote is paramount, and the transition to curbside voting introduces new vulnerabilities that must be meticulously addressed to prevent any compromise in our electoral process.

#### **Recommendation for Procurement**

House Bill 641's requirements necessitate technology the Local Boards do not have, namely mobile Ballot Marking Devices, mobile poll books, and mobile printers. MAEO recommends that if this bill is to be implemented, the enactment date be moved until after the next procurement of election equipment.

#### **Recommendation for a Pilot Program or Study**

Given the various concerns and the significant shift in election administration that curbside voting represents, MAEO recommends the initiation of a pilot program or a comprehensive study before statewide implementation. This approach would allow us to assess the strengths and weaknesses of curbside voting in Maryland's unique context, develop best standard practices, and ensure that any transition to this voting method is conducted securely, efficiently, and inclusively.

In conclusion, while we support efforts to enhance voter accessibility, it is imperative that we proceed with caution to safeguard the integrity of our electoral process. Thank you for considering our testimony on this important matter. If you have any questions please feel free to reach out.

Sincerely,  
John Michael Gudger  
johnmichael.gudger@maryland.gov  
Chair, MAEO Legislative Committee