



House Bill 1001

Motor Vehicles – Automated Enforcement Programs – Privacy Protections

MACo Position:

To: Judicial Proceedings Committee

LETTER OF INFORMATION

Date: March 27, 2024

From: Sarah Sample

The Maryland Association of Counties (MACo) offers this **LETTER OF INFORMATION** on HB 1001. This bill limits the use of and access to images recorded by automated enforcement programs by law enforcement. It also mandates several procedures and requirements for automated enforcement programs run by local governments.

Automated enforcement programs are used for capturing motor vehicle violations in a variety of ways, as authorized by the State. Only a handful of jurisdictions have enabled some form of automated enforcement, and all are operated by a specified unit that oversees them within local law enforcement or transportation divisions. Each unit has established policies for how data is collected, reviewed, and stored. Some have standards above and beyond those identified in the legislation.

Counties appreciate the incredible need for privacy and security when it comes to data handling procedures, particularly records with identifying information of community members. It is a responsibility they do not take lightly as is evidenced by existing standards. The provisions of this bill intend to uphold the safety and security of this information and are well-meaning but, in a few narrow instances, potentially improbable.

For instance, red-light cameras are positioned to catch violations, often across multiple lanes. The bill's requirement to eliminate the capture of anything else in the area could present a significant challenge when the area to cover is sometimes in the range of 15 to 20 feet wide, with sidewalks on the adjacent edges of the street. Trying to exclude other drivers, vehicles, and potential pedestrians from the frame might not always be possible while also trying to ensure the cameras are able to catch the applicable violations.

Another primary concern is the requirement that these systems and software are not accessible to wireless networks. With dozens of cameras across some jurisdictions, remote data is uploaded everyday through wireless networks to the main servers of the automated enforcement unit. Manually collecting data from each of the cameras in remote locations could render some programs inoperable due to the sheer volume of staff and equipment those procedures would require.

All automated enforcement programs run by local jurisdictions are managed with extreme care and caution, as well as clear policies and training - which means most of the bill's specifications are part of existing procedures. Local governments appreciate the interest and intent of the legislation and for these reasons MACo opted to take no position and offer this **LETTER OF INFORMATION** on HB 1001.