

Brian Perry Testimony HB1144 crossover.pdf

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Position: FAV

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Chairperson/Director

TOM CAHILL
Vice Chairperson/Assistant
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BRITTANY GARRIS
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March 25, 2025

Favorable; HB1144 - State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury

REPRESENTATIVES

CUMBERLAND
Local 600
RANDY MARTZ

BRUNSWICK
Local 631
TOM CAHILL

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Local 1470
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BALTIMORE
Local 610
JOHN WALKER

Local 1949
JACOB STROMAN

To the Honorable Pamela Beidle, Chair; Antonio Hayes, Vice Chair and Members of the Senate Finance Committee

Hello, my name is Brian Perry, I am a Railroader with 35 years of service. I am a member of the Transportation Division of SMART and for the last 15 years, I have worked as a Conductor for both Amtrak and MARC. I am urging a favorable report on **HB1144**.

While boarding passengers in the West Baltimore station stop, a man walked up to my fellow conductor and told him he did not have a ticket and that he was boarding the train. At which point he was told that he needed to have one in order to ride. The man became quarrelsome, grabbed my coworker by the shirt, knocked him into the stairs of the train and drug him into it.

I then grabbed him from behind, removing him from off of my coworker, and together we were able to restrain him, until he calmed down. A 3rd member of our crew got help from the MTA police. We both sustained injuries and missed months of work.

While he was arrested in this instance, charges were not pressed. This doesn't happen most of the time. Usually, the attackers are removed from one train, then allowed to board the very next one. Imagine someone walking into this building in the morning, attacks one of you, then be allowed to do it again that same afternoon, the next day, week and so on. Unimaginable, right? We face this scenario, EVERYDAY

This bill would ensure accountability. It'll make trains safer for both us and our passengers. It will be a deterrent to would be attackers, knowing there will be consequences for their acts.

I am certain that everyone wants a safe environment to work in. This bill would do this for us. Thank you for your time and I urge a favorable report!

Brian Perry
Conductor, MARC & Amtrak
Member, SMART-TD Local 1470

Chantese Robinson Copy of HB 1144 - State Public T

Uploaded by: Chantese Robinson

Position: FAV

Amalgamated Transit Union Local 1300

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Telephone: 410-889-3566 Facsimile: 410-243-5541
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Proudly representing the transit workers of the MTA!



HB 1144 - State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury Favorable House Environment & Transportation Committee February 20th, 2025

Story of Chantese Robinson

Bus Operator at Northwest Bus Division for Maryland Transit Administration

A bus operator with the MTA for 9 years. A passenger assaulted her and stole her property. She reported this to the company and they did nothing. He still rides her bus regularly. There has not been an arrest. He continues to make verbal threats to her. She attempted to get a restraining order served on him. She has a court date signed up, but it does not stop him from getting on the bus. He pulled a knife on another female operator. This has happened multiple times over the course of a year.

Written Testimony HB 1144 - Senate Finance.pdf

Uploaded by: David Pendleton

Position: FAV

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March 25, 2025

Support, HB1144 State Public Transit Service and Stations – Exclusion for Assaults and Bodily Injury

To the Honorable Pamela Beidle, Chair; Antonio Hayes, Vice Chair and Members of the Senate Finance Committee.

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JACOB STROMAN

My name is David Pendleton, I am the Director of the Maryland Safety and Legislative Board for the Transportation Division of the International Association of Sheet Metal Air Rail Transportation Workers (SMART). Our members in the State of Maryland are employees of CSX Transportation, Norfolk Southern, Canton Railroad, Amtrak and MARC (Amtrak and Alstom). We are Conductors, Engineers, Yardmasters, Switchmen, and Utility Workers. We are the **TRAIN UNION**.

SMART's first responsibility is to ensure a safe working environment for Its members. On their behalf I urge a favorable report for **HB1144**.

Assault is a terrible crime that is perpetrated on its victims without regard for their race, sex, age or religion. More often than not, assaults on Conductors stem from us saying two small words...ticket please. It is the simplest of our duties that causes the most issues.

Often when this happens on MARC, the perpetrator is allowed to catch the very next train. Should it happen in the morning, we're likely to see them later in the afternoon on the same day. Definitely, the next day.

HB1144 would put a stop to this injustice. It would hold perpetrators of assault accountable for their actions by taking away the privilege of utilizing public transit services. Passage of this bill will send a clear message that the State wants a safer public transit service for its workers and commuters.

This commonsense legislation has passed in Virginia, Illinois, New Jersey, New York, Oregon, California, Georgia, Florida and here locally in Montgomery County. It is time for the State of Maryland to join this list. To make the commute to work safer for the riding public

Thank you for your time and consideration of our position. I urge a favorable report

Sincerely,
David Sr

David Pendleton Sr., Chairperson/Director
Maryland Safety & Legislative Board, LO-023
SMART Transportation Division

Comparable Laws

- **Virginia** - Passed in 2023 - Originally bill [HB 2330](#) – Section F: "The sentence of such person upon conviction shall also prohibit such person from entering or riding in any vehicle operated by the public transportation service that employed such operator for a period of not less than six months as a term and condition of such sentence."
- **Illinois** - Passed in 2023 - Originally bill [HB 1342](#) – Allows transit agencies to pass regulations that allow them to ban passengers or confiscate their ride cards if they verbally or physically threaten a transit worker. This is a lower bar than actual physical assault – just threats or yelling would qualify.
- **New Jersey** - Passed in 2022 - Originally bill [HB 4071](#) - "developing a new policy that will ban riders who assault drivers or other NJ Transit employees, with a lifetime ban possible for assault with a deadly weapon...the policy is part of a law passed last year, the Motorbus and Passenger Rail Service Employee Violence Protection Act (VPA), that also raised fines for assaulting transit workers. "The policy would be similar to a national 'no fly list' law that airlines are seeking to bar violent passengers."
- **New York** – Passed in 2010, New York penal [code 65.10](#) k2, allows a judge to ban an individual for assaulting (sexually or physically) an employee of the MTA, however not a single offender had it applied to them. In 2022, the MTA in NYC previously sought under existing criminal statutes in NY to add a ban from public transit to the sentences of those convicted of assaults on transit workers. But Gov. Hochul also announced recently that she was seeking to change policy to do that... "These new investments build on the Governor's previous deployments of public safety programs and resources throughout the subway system, including a new proposal to ban assaulters of commuters and transit workers, improved coordination between law enforcement and district attorneys, and installing new cameras in subway trains throughout the system to help protect customers, conductors and staff."
- **Oregon** - Effective Since 2017 – [TriMet code 28.18](#), has allowed for TriMet to issue long-term bans since 2017 for people who commit assaults on board that rise to the level of a felony, but those who commit misdemeanors were banned for a maximum of 90 days." Since 2022 - A person who has committed three or more violations would become eligible for a ban of six month or longer, regardless of the level of their offense. The changes will take effect Jan. 13." See: ORS 166.116 Interfering with public transportation.
- **California** – [AB-716](#), passed in 2012, granted authority to local transit agencies the authority to issue prohibition orders. Most recently updated in September 2024, Certain transit operators are given authority to ban passengers. For example, VTA received permission in Assembly Bill 1735 in 2024. The Sacramento Regional Transit District, the Los Angeles County Metropolitan Transportation Authority, the Fresno Area Express, and the San Francisco Bay Area Rapid Transit District are also permitted under state law to issue prohibition orders.
- **Georgia** - [MARTA](#), Bans typically range from 14 to 60 days depending on the violation, crimes against a person (sexual or violent) especially involving a weapon carries a 365 day ban, potentially lifetime depending on severity of crime. Repeat offenders 3 violations in 90 days – 1 year, 4 in 90 = lifetime
- **Florida** - "[PTSA](#)" – They have a code of conduct policy that lists prohibited behaviors, fare evasion is not listed. Violations can lead to expulsion or trespass orders, however PTSA does not have the authority to issue trespass orders. PTSA relies on local police for enforcement, blanket trespass orders are issued to local police for their use on PTSA right of ways.
- **Montgomery County Maryland** - "[Montgomery County Transit's Disruptive Behavior policy](#)" is believed to discourage repeat violations of agency rules. Individuals who violate the disruptive behavior rule by engaging in prohibited behavior are subject to a 90-day suspension of service and/or fines or imprisonment for up to 6 months. Prohibited behaviors include interfering with the operation of the vehicle, eating/drinking/smoking, fighting, spitting, yelling, threatening the driver or others on board, tossing or throwing articles or projectiles, and unwanted touching or conversation with another passenger. The exclusion is enforced by transit supervision with assistance from local law enforcement when needed."

Effectiveness of Exclusion Policies

In 2024, the National Academies released a report on its study of [Transit Exclusion Policies in Public Transportation Systems](#). The study analyzed many transit systems across the country. It studied effectiveness for three, each have similar operations to the MTA.

- BART – California
- MARTA – Georgia
- PTSA – Florida

Each system uses a different means of enforcement and have varying levels of dependency on local police for assistance with enforcement. BART and MARTA being the biggest, each have their own police force (like the MTA), are able to enforce its policy using its own police force. Whereas PTSA relies on Local police for enforcement.

BART

Operating out of San Francisco, connecting the East Bay cities with San Mateo and Santa Clara Counties along with an additional 130 miles of track, 50 stations and operations in 5 counties. According to the study, since 2015, when BART began to include info on repeat offenders, people “overwhelmingly” complied with the prohibition orders. Only a small percentage of people who were readmitted re-offended more than once. Only one time in 2015, did someone violate the prohibition order. No one violated it in 2016 and 2017. Over an 8-year period, 2,365 prohibition orders were issued, averaging 296 orders issued per year. Over that same period on average, annually, 18 times or 6% were prohibition orders violated.

MARTA

Operating out of Atlanta, and throughout the 5 cities surrounding it. Has 1,439 roadway miles, 100 routes, 30 stations serviced by rail and a mobility fleet of 173 lift vans. According to the report, its policy has reduced crime and has made passengers feel safe. MARTA has suspended 10,000 passengers since 2013 for unruly behavior. In 2022 MARTA reported that Part 1 crimes (including violent crime and property damage) are down 17%, operator assaults are down 42%. On average, 5 year [Crime statistics](#) on MARTA shows a drop since the implementation of their Code of Conduct.

PTSA

Operating out of Pinellas County Florida, covering St Petersburg, Largo, Clearwater and other jurisdictions in the county. They work alongside HART, providing transit service to Hillsborough Tampa Airport. According to the report, PTSA believe its Exclusion and trespass policy is a deterrent. 85% of its passengers who reboard after an exclusion, complies with their code of conduct.

Data on Transit Operator Assaults in Maryland and Notes on Attachments

- The NTD lists 33 "major events" of assaults on operators in 2024 that were reported by WMATA and MTA to the FTA. If you expand this to all incidents they reported it grows to 95.
 - Note that the [Urban Institute critiqued the NTD report](#) process, finding that, "***Assaults on transit workers have tripled since 2008***. Using data from the National Transit Database, I find that "major" assaults on transit workers (PDF)—defined by the Federal Transit Administration (FTA) ***as an event resulting in a fatality or injury requiring medical transport***—nearly tripled between 2008 and 2022, from 168 to 492 annual events nationwide. Given the high reporting threshold for inclusion in the dataset, this staggering increase should be interpreted as an undercount of the true magnitude of this issue. New Jersey Transit, for example, reported three major assault events in 2021, but reports from other sources have cited the agency with more than 130 assault events for the same year. Assaults, both those that do and do not meet the FTA's "major" threshold, include stabbing, spitting, hitting and kicking, and unwelcome sexual misconduct. Operators have also reported being robbed, having things thrown at them, being doused with urine and hot beverages, being threatened at gunpoint, and shot at."
- The NTD's non-major event data (i.e. no one had to go to the hospital) includes 191 physical assaults on transit operators in 2024 at WMATA (unable to remove non-Maryland data), MTA, MARC, RideOn, and PG's TheBus. The same data includes 204 assaults on "other transit workers."
- Transportation Article §7-714 requires that MTA publish a report "Assaults on Public Transit Operators" starting on December 1st, 2023 and each December 1st after that. MTA published the first report ([attached here](#)). As of yet, the 2024 report has not been released.
- ***The Bipartisan Infrastructure Law (BIL), Public Law 117-58, modified 49 U.S.C. 5329***, including a new definition of transit worker assault, initiatives to improve the collection of data on transit worker assaults that is reported to the National Transit Database (NTD), and a requirement for agencies serving large UZAs to establish risk reduction programs aimed at preventing transit worker assaults. According to NTD data, transit worker assaults have increased 121 percent from 2008 to 2021.
- [Governing](#) has a very solid overview of transit worker safety legislation as of 2023.

Other Transit Agencies

Transit Agency	Fine	Suspension/Ejection*	Barring/Banning*	Appeals
BART 	\$75 Adults \$55 Minors >\$250 Criminal	Warning Immediate	Immediate 30 Days > 1 Year	Internal Hearing Court Hearing
CTA - Chicago 	<\$300 Fare Forfeiture	Immediate	Under Consideration	Under Consideration
DART 	>\$100	Immediate Trespass Warning	Immediate Trespass Warning <Permanent	Internal Appeals Decision is Final
LA Metro 	>\$75 Adults >\$40 Minors Fare Forfeiture	1st Offense 2nd Offense	3rd Offense or Greater <Permanent	Internal Hearing Decision is Final
MARTA 	\$0 Fare Forfeiture	Immediate >12 Hours	Notice 14 Days > 1 Year <Permanent	Internal Panel Decision is Final

* Length of time varies from hours to days to permanent depending on a variety of factors by Agency.

<https://www.wmata.com/about/board/meetings/board-pdfs/upload/3A-Tariff-Update.pdf>

SUSPENSION-OF-SERVICE POLICY

Suspensions of service or passenger bans demonstrate the agency's commitment to improving the security of transit service. These suspension-of-service policies have been implemented at agencies such as Capital District Transportation Authority in Albany, New York; Metro Transit in Madison, Wisconsin; Montgomery County Transit in Maryland; Las Vegas RTC; Pierce Transit; SUN METRO in El Paso, Texas; and the Edmonton Transit System in Canada.

These were reported to be effective in reducing repeat offenders. The transit agencies worked with their municipalities to adopt laws that enable them to exclude individuals who violate their fare payment and other policies or codes of conduct. Any excluded individual who attempts to board a bus would be considered trespassing on agency property.

This policy deters potential offenders through the threat of not being allowed onto the transit system. Other agencies, such as CATS in Charlotte, North Carolina, have established ordinances that prohibit violations of agency rules.

Advantages

- Bus operator perspective—increased perception of security and management support for operators; lets bus operators know that management is serious about their security.
- Customer perspective—lets customers know that the agency is serious about security and might not allow violations of their codes of conduct.
- Does not require significant investments in equipment or security personnel.

Disadvantages

- Agency perspective—agency needs to change the municipal or provincial ordinance to introduce legislation stating that an individual violating an agency's code of conduct might be banned from accessing the transit system for X days. This may take time and effort.
- Without support of the legal system and prosecutors in ensuring that offenders who try to access the system might be charged, the policy may not be effective.
- Larger systems may have difficulty enforcing the policy because identifying the banned individuals could be problematic.

HB 1144_AFSCME3_FAV.pdf

Uploaded by: Denise Gilmore

Position: FAV



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Patrick Moran – President

**HB 1144 – State Public Transit Service and Stations –
Exclusion for Assault and Bodily Injury
Finance Committee
March 27, 2025**

Position: FAVORABLE

AFSCME Council 3 represents 50,000 state, county, and municipal employees, including police officers serving with the Maryland Transit Administration (MTA). Many of our members are also regular MTA riders, relying on the system daily to commute to work. We strongly support HB 1144. This bill mandates that the Maryland Department of Transportation (MDOT) establish a policy that bans or excludes individuals from MTA services who commit assaults against passengers or transit workers, either on or near transit vehicles. This is important legislation to help keep transit workers and riders safe, especially at a time when assaults on transit workers are increasing.

HB 1144 provides a reasonable and effective approach to enforcing MTA policies, ensuring a safe transit environment for all riders. When passengers violate rules designed to protect everyone, there must be clear and consistent consequences. The bill stipulates that a first offense results in a 30-day ban, a second offense leads to a 180-day ban, and a third offense results in a lifetime ban. This approach mirrors similar legislation passed in states like Virginia, Illinois, New Jersey, Oregon, California, and Massachusetts. While it is essential to maintain accessible public transit for all, this should not extend to allowing passengers to engage in assaultive behavior without facing accountability.

We urge the committee to provide a favorable report on HB 1144. Thank you.

The following states that have collective bargaining for state employees, AK, CA, CT, DC, DE, HI, IL, ME, MN, NE, NJ, NM, NV, OH, OR, PA, MT, RI, WA have a terminal point for negotiations, either binding interest arbitration, the right to strike, or a legislative process. These processes create a level playing field for both parties.

This legislation would create a mutual incentive to compel parties to reach an agreement around collective bargaining negotiations by instilling a binding interest arbitration process, whereby if the two sides cannot come to agreement through negotiations by a specified deadline the proposals.

From the two sides would be presented to a professional, neutral third- party arbitrator – hearing from witnesses and experts, with data and evidence – for consideration of all the facts involved with the purpose of determining which proposal is most appropriate to implement. The choice by the arbitrator would then be considered a binding resolution to be implemented by the Governor and exclusive bargaining representative for whatever appropriations are necessary to implement and fund the memorandum of understanding. The budgetary powers of the Maryland General Assembly remain unaltered.

SB 188 is a strong and positive step toward enhancing fairness, balance, and efficiency, and resolution. It follows a model that is well-established in other states and among Maryland counties. We urge a favorable report.



HB 1144 - State Public Transit Service and Station

Uploaded by: Denise Riley

Position: FAV

Kenya Campbell
PRESIDENT

LaBrina Hopkins
SECRETARY-TREASURER

**Written Testimony submitted to the Maryland Senate Finance Committee
HB 1144 - State Public Transit Service and Stations –
Exclusion for Assault and Bodily Injury
March 27, 2025**

SUPPORT

AFT Maryland asks for a favorable report on HB 1144, legislation that seeks to enhance the safety of Maryland's public transit system by establishing clear consequences for individuals who commit acts of assault or intentional bodily injury while utilizing public transit services.

Transit operators, who serve as the backbone of our transportation system, should be able to perform their duties without fear of violence or harassment. Unfortunately, incidents of assault on public transit have become an increasing concern, putting both transit workers and passengers at risk. HB 1144 addresses this urgent issue by prohibiting individuals who commit acts of violence from using public transit for specified periods based on the severity and recurrence of their offenses.

Under HB 1144, individuals accused of assaulting a transit operator or passenger while on board a bus, train, light rail, or subway service, or at a state public transit station, may be prohibited from using transit services or entering stations. To ensure fair enforcement, the Maryland Transit Administration (MTA) will establish guidelines for implementing exclusions and provide an appeals process for affected individuals.

Additionally, the MTA, in collaboration with the Washington Metropolitan Area Transit Authority, the Joint Safety Committee, and transit operator unions, will convene a workgroup to develop a rider code of conduct and strengthen safety protocols. This workgroup will also determine appropriate consequences for violations, including ridership bans, legal action, and alternative measures for individuals with disabilities who rely on public transit.

HB 1144 strikes the right balance between public safety and fairness. By ensuring that individuals who engage in violent behavior face real consequences, this bill will help create a more secure and welcoming environment on Maryland's public transit system. Thank you.

HB 1144 - State Public Transit Service Stations -

Uploaded by: Donna Edwards

Position: FAV



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**HB 1144 - State Public Transit Service Stations - Exclusion for Assault and Bodily Injury
Senate Finance Committee
March 27, 2025**

SUPPORT

**Donna S. Edwards
President**

Maryland State and DC AFL-CIO

Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of HB 1144. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

Assault on our public employees is an assault on all of us. Transit workers, by the nature of their job, interact with the public on a daily basis, and are, oftentimes, the subject of assault. For our transit system to operate effectively and efficiently, it must be a safe and secure environment for our operators.

HB 1144 aligns Maryland with six other states and Montgomery County, in taking a significant step in protecting our transit operators by prohibiting individuals who have committed an assault or other intentional act causing bodily injury from using a State public transit service.

In FY2023, the Maryland Transit Association (MTA), the Washington Metropolitan Area Transit Authority (WMATA), and the Locally Operated Transit Systems (LOTS), reported a total of 156 transit operator assaults across the state. Of those, 119 (nearly 77%) were "simple assaults," not involving a weapon, while 31 were considered aggravated assaults.¹ These numbers highlight the ongoing risks transit workers face simply for doing their jobs, further emphasizing the need for legislative intervention.

¹ "Assaults on Public Transit Operators (Transportation Article §7-714)." Department of Legislative Services. December 2023.

Our dedicated transit workers uphold the system that many Marylanders rely on, ensuring that operations run smoothly. They are the face of our transportation system and deserve the respect and protections they are owed.

For these reasons, we urge a favorable vote on HB 1144.

HB1144testimony.pdf

Uploaded by: Jackie Addison

Position: FAV

JACQUELINE T. ADDISON
Legislative District 45
Baltimore City

Environment and
Transportation Committee

Subcommittees

Natural Resources, Agriculture,
and Open Space

Motor Vehicles and Transportation

Local Government and
Bi-County Agencies



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March 25, 2025

Chair Pamela Beidle
Vice Chair Antonio Hayes
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Favorable Testimony in Support of House Bill 1144-State Public Transit Service and Stations – Exclusion for Assault and Bodily Injury

Chair Beidle, Vice Chair Hayes and members of the Senate Finance Committee

For the record I am Delegate Jackie T. Addison, here urging a favorable report on HB 1144 State Public Transit Service and Stations – Exclusion for Assaults and Bodily Injury

This bill simply mandates the MTA, in consultation with WMATA and Labor, to convene a workgroup to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for passengers and public transit operators that shall include ridership bans.

It's a common-sense measure designed to protect the men and women who keep our transit systems running every day. Transit workers should not have to fear for their safety while doing their jobs. Unfortunately, we have seen tragic incidents where workers have been assaulted and even killed while serving the public.

There was a vigorous amendments process, all the affected Stakeholders weighed in, and the bill reflects this spirit of compromise, however some of their concerns cannot outweigh the need to protect our frontline workers. We have a responsibility to ensure they can work without the constant threat of violence.

JACQUELINE T. ADDISON
Legislative District 45
Baltimore City

Environment and
Transportation Committee

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and Open Space

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I urge this committee to stand with our transit workers and support House Bill 1144. Thank you.

Jay Johnson Written HB1144 crossover.pdf

Uploaded by: Jay Johnson

Position: FAV

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Chairperson/Director

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To the Honorable Pamela Beidle, Chair; Antonio Hayes, Vice Chair and
Members of the Senate Finance Committee

My name is Jay Johnson, I am a member of the Transportation Division of
SMART and a Train Conductor with 15 years of service working for Amtrak
and MARC. I am here today, urging a favorable report for ***HB1144 -
Exclusion for Assault and other Bodily Injury.***

While working on a MARC train, stopped in West Baltimore, I was accosted
by a person with whom I had repeated problems with. I was struck with a
blunt object to my head and neck. I was taken to a hospital, where I
received 3 staples to my head. This assault left me out of work for 9
months.

Not only was I physically bruised, but I was emotionally scarred, still
traumatized to this day. For two years, I sought help from a licensed
therapist. Additionally, I had to have plastic surgery to help the scar on my
head seem less gruesome, but it's still visible.

There were hundreds of public transit workers who were assaulted last
year for simply doing their jobs. ***HB1144*** would provide a measure of
protection for us. Create a safe environment for the public to commute and
for us to serve them in.

Thank you for your time and consideration. I urge a favorable report!

Jay Johnson
SMART Transportation Division
Local 1470

HB 1144 - State Public Transit Service and Station

Uploaded by: Michael McMillan

Position: FAV

Amalgamated Transit Union Local 1300

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Proudly representing the transit workers of the MTA!



HB 1144 - State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury House Environment & Transportation Committee February 20th, 2025

ATU Local 1300 represents over 3,000 transit workers at the Maryland Transit Administration (MTA). This includes bus operators, bus mechanics, rail operators, rail maintenance workers, and more. Our members keep Maryland moving every day.

For years, transit workers from across the state have come to the Maryland General Assembly and asked for your help to keep us safe from assaults. Over the last decade, attacks on our members have dramatically increased, with no end in sight. Transit workers have public facing roles on the front lines at the intersections of a public health, mental health, poverty, and drug crisis.

This year, we come back to the General Assembly with a proposed solution. Ban passengers that attack transit workers or other passengers from using the service. These people have proven themselves incapable of using the transportation services safely and are a risk to others.

Since the Bipartisan Infrastructure Law included language requiring the Federal Transit Administration (FTA) to study the issue of transit worker assaults, we finally have the data to prove what our members have said for years. When publishing its historic “General Directive 24-1: Required Actions Regarding Assaults on Transit Workers,” former FTA Deputy Administrator Veronica Vanterpool stated, “No American should go to work and worry they will not return home safely. That is particularly true for the transit workers who were valuable frontline workers in our nation’s time of need. Transit workers experienced a significant increase in assaults over the years, which is unacceptable... We will continue to take action to ensure that our nation’s transit workers are safe and secure while running our nation’s trains, buses, and transit facilities.”

The FTA conducted extensive research on the issue and found that one of the most effective policies to keep transit workers safe were bans and service exclusions.¹ The report explicitly commended these policies, noting:

- *“Bus operator perspective—increased perception of security and management support for operators; lets bus operators know that management is serious about their security.*
- *Customer perspective—lets customers know that the agency is serious about security and might not allow violations of their codes of conduct.*
- *Does not require significant investments in equipment or security personnel.”*

Though the FTA also highlighted that one of the largest impediments to adopting service exclusions was that agencies were unclear on whether they had the authority to implement these policies. That is part of the reason we are here to support HB 1144. We believe the General Assembly should make its position on transit safety clear - if you can’t ride the service safely, you cannot use the transit service.

¹ Federal Transit Administration. “Report on Practices to Protect Bus Operators from Passenger Assault.” Transit Cooperative Research Program: Synthesis 93.

In January 2023, an MTA Mobility Link driver was shot and killed while at work². Just a few days later, a WMATA worker was killed while trying to prevent a mass shooting.³ In 2021, there were three shooting deaths of transit workers.⁴ In 2019, Marcus Parks, a 20 year operator and one of our members was shot and killed. Dozens of incidents of attacks, assaults, harassment, and verbal confrontations never make the public news but are experienced by our transit workers every year.

With our testimony today we have invited several transit workers to share their experiences and perspectives. We hope you hear their stories today and recognize that the people here today represent just a small fraction of our members who have been through something similar. We have also included additional information on transit service exclusions and transit assault data.

We urge the committee to issue a favorable report for HB 1144.

² WMAR. "MTA mobility driver killed in "violent crime" during work shift." January 30, 2023.

³ BBC News. "Washington DC metro worker who died tackling gunman is a 'hero'" February 3, 2023.

⁴ Justin George, "Third killing of a transit worker in Baltimore sparks calls for improved security." Washington Post. August 27, 2021.

Similar Legislation

Virginia - Passed in 2023 - Originally bill HB 2330 – Section F: "The sentence of such person upon conviction shall also prohibit such person from entering or riding in any vehicle operated by the public transportation service that employed such operator for a period of not less than six months as a term and condition of such sentence."

Illinois - Passed in 2023 - Originally bill HB 1342 – Allows transit agencies to pass regulations that allow them to ban passengers or confiscate their ride cards if they verbally or physically threaten a transit worker. This is a lower bar than actual physical assault – just threats or yelling would qualify.

New Jersey - Passed in 2022 - Originally bill HB 4071 - "developing a new policy that will ban riders who assault drivers or other NJ Transit employees, with a lifetime ban possible for assault with a deadly weapon...the policy is part of a law passed last year, the Motorbus and Passenger Rail Service Employee Violence Protection Act (VPA), that also raised fines for assaulting transit workers.

Oregon - Effective Since 2017 - ORS 166.116 Interfering with public transportation - "TriMet has allowed long-term bans since 2017 for people who commit assaults on board that rise to the level of a felony, but those who commit misdemeanors were banned for a maximum of 90 days." Since 2022 - A person who has committed three or more violations would become eligible for a ban of six month or longer, regardless of the level of their offense."

California - Effective for some time, but most recently updated in September 2024 - Certain transit operators are given authority to ban passengers. For example, VTA received permission in Assembly Bill 1735 in 2024. The Sacramento Regional Transit District, the Los Angeles County Metropolitan Transportation Authority, the Fresno Area Express, and the San Francisco Bay Area Rapid Transit District are also permitted under state law to issue prohibition orders.

Massachusetts - "In Boston, police officers are allowed to bar a person from a particular bus or line for a maximum of 24 hours, said Richard Sullivan, superintendent of transit police at the Massachusetts Bay Transportation Authority. A stay-away order for anything longer than that must come from a judge as part of the arraignment process or sentencing."

Montgomery County - "Individuals who violate the disruptive behavior rule by engaging in prohibited behavior are subject to a 90-day suspension of service and/or fines or imprisonment for up to 6 months. Prohibited behaviors include interfering with the operation of the vehicle, eating/drinking/smoking, fighting, spitting, yelling, threatening the driver or others on board, tossing or throwing articles or projectiles, and unwanted touching or conversation with another passenger. The exclusion is enforced by transit supervision with assistance from local law enforcement when needed."

National Transit Database - Transit Worker Assault Data

The Federal Transit Administration requires that major transit systems report safety data to the National Transit Database (NTD). Incidents are broken down into major (i.e. someone required transportation to a hospital) and non-major. Non-major incidents are aggregated and not reported individually.

In 2024, the NTD reported the following data for WMATA, MTA, RideOn, & The Bus:

- 33 assaults on operators (major events - requiring transport to hospital)
- 62 other major events (e.g. assault on non-operator, assaults on passengers)
- 191 non-major physical assaults on operators & 204 non-major assaults on other transit workers.

2023 MTA Report - Assaults on Public Transit Operators (Transportation Article §7-714)

Section 7-714, Maryland Annotated Code for Transportation requires that the MTA compile a report on transit assaults in the state. The last report was published in 2023.

Table 1: Findings Summary Table

Field	MTA	WMATA (Maryland Only)	LOTS	Total
Assaults (Total)	95	46	15	156
<i>Assaults (Percentage)</i>	60.9%	29.5%	9.6%	100%
Assault Type				
<i>Simple</i>	76	35	8	119
<i>Aggravated</i>	17	8	6	31
<i>Threat</i>	2	3	-	5
<i>Unknown</i>	-	-	1	1
Mode				
<i>Bus</i>	79	35	15	129
<i>Metro</i>	9	10	-	19
<i>Demand Response</i>	6	1	-	7
<i>Light Rail</i>	1	-	-	1
<i>Commuter Rail</i>	-	-	-	0
<i>Commuter Bus</i>	-	-	-	0
Employee Type				
<i>Bus Operator</i>	79	35	15	129
<i>Station Manager/Attendant</i>	1	8	-	9
<i>Demand Response Operator</i>	6	1	-	7
<i>Metro Operator</i>	4	2	-	6
<i>Unknown</i>	4	-	-	4
<i>Light Rail Operator</i>	1	-	-	1

Sherrell Austin Copy of HB 1144 - State Public Tra

Uploaded by: Sherrell Austin

Position: FAV

Amalgamated Transit Union Local 1300

126 W. 25th Street, Baltimore, Maryland 21218
Telephone: 410-889-3566 Facsimile: 410-243-5541
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Proudly representing the transit workers of the MTA!



HB 1144 - State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury Favorable House Environment & Transportation Committee February 20th, 2025

Story of Sherrell Austin

Bus Operator at Northwest Bus Division for Maryland Transit Administration

Sherrell came across the same guy referenced in Chantese's story. He got into a verbal altercation with her. He was on her bus, smoking and playing music. After Sherrell asked him to stop, the two of them got into an argument. He exited the bus and started making threats to her, saying "You just wait." He ran across the street and retrieved a rottweiler dog and tried to bring it onto the bus to attack her. She called the MTA Police. The guy started to smack the mirrors and mess with the bike rack in an attempt to get her off the vehicle. He took the dog back across the street and she used this opportunity to let passengers off the bus and onto another bus that pulled up. The man then attempted to board the bus again. He then attempted to use a knife to attack her through the operator's side window. This story occurred within the last month.

Trena Few Testimony HB1144 - crossover.pdf

Uploaded by: Trena Few

Position: FAV

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Chairperson/Director

TOM CAHILL
Vice Chairperson/Assistant
Director

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Secretary



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March 25, 2025

Favorable, HB1144 -State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury

REPRESENTATIVES

CUMBERLAND
Local 600
RANDY MARTZ

BRUNSWICK
Local 631
TOM CAHILL

EDMONSTON
Local 1470
BRITTANY GARRIS

BALTIMORE
Local 610
JOHN WALKER

Local 1949
JACOB STROMAN

To the Honorable Pamela Beidle, Chair; Antonio Hayes, Vice Chair and Members of the Senate Finance Committee

Hello, my name is Trena Few. I am a member of the Transportation Division of SMART. I work as a Conductor for Amtrak and MARC with 13 years of service. I am urging a favorable report on **HB1144**.

While working on an Amtrak train in Wilmington, DE, a woman, running down the platform, came to me and asked is this train whatever. I replied to her no, this is not your train, we do not accept passengers at this location, we only let them off.

She immediately became belligerent. Swearing, cursing at me. She even spit on me. A conductor from another train, located across the platform from me radioed for police assistance. Being that the attack was unprovoked, if it weren't for him being there, I'm certain things would've escalated further.

As a Maryland resident, I fully support **HB1144**. The commuting public utilizing public transit service depends on us to get them to and from safely. When people feel that they can get away with doing anything they want, lawlessness takes hold. At which point it becomes impossible to do our jobs.

We as a State must send the message, that riding public transit service is a privilege. One that should not be abused. One that should be protected. Victims of assault should not have to face their attackers day after day after day as is currently the case.

Thank you for your time and consideration. I urge a favorable report!

Trena Few
Conductor
Member, SMART Transportation Division
Local 1470

HB1144 - MTA - LOSWA - State Public Transit Servic

Uploaded by: Patricia Westervelt

Position: FWA

March 27, 2025

The Honorable Pamela Beidle
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401

***RE: Letter of Support with Amendments – House Bill 1144 –State Public Transit Service
and Stations - Exclusion for Assault and Bodily Injury***

Dear Chair Beidle and Committee Members,

The Maryland Department of Transportation supports House Bill 1144 as a measure to protect MTA's valuable transit operators and offers the following information and amendment for the Committee's consideration.

As amended, HB 1144 requires the Maryland Transit Administration (MTA), by June 1, 2025, to convene a workgroup to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for MTA operators and passengers. Until the rider code of conduct is adopted and the comprehensive internal safety program is implemented, a person who is alleged by a public transit operator to have committed an assault or other intentional act causing bodily injury to a public transit operator or a passenger while the person is on board a State public transit service or at a State public transit service station may be prohibited from using a State public transit service or entering a State public transit service station, under guidelines and subject to an appeals process established by MTA.

The MTA recognizes that transit operators are the backbone of a safe, efficient, and accessible transportation system and supports HB 1144 with amendment to further protect operators and riders. The MTA has already begun the process of implementing the rider code of conduct with the Joint Safety Committee (JSC), which has representation from both MTA management and union members. The JSC will play a key role in assessing the effectiveness of MTA's operator safety initiatives and recommending ongoing improvements.

MTA proposes an amendment to clarify the Washington Metropolitan Area Transit Authority's (WMATA) role in MTA's internal process. Under the proposed amendment, MTA will review WMATA's forthcoming operator safety policy for best practices; however, the language would clarify that WMATA would not have an oversight and review role as a member of MTA's workgroup.

The Honorable Pamela Beidle
Page Two

The Maryland Transit Administration is eager to work collaboratively with its union partners and the General Assembly to find solutions that benefit our operators and passengers. The Maryland Department of Transportation respectfully requests that the Committee consider this information during its deliberation of House Bill 1144 and issue a favorable report with the suggested amendment.

Respectfully submitted,

Jalen Sanders
Director of Governmental Affairs
Maryland Transit Administration
410-491-0133

Matthew Mickler
Director of Government Affairs
Maryland Department of Transportation
410-865-1090

HB 1144 - transit exclusion crossover - UNFAV.pdf

Uploaded by: Melissa Rothstein

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

HANNIBAL KEMERER
CHIEF OF STAFF

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB1144 State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: 03/25/25

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on House Bill 1144. The amended version of this bill seeks to prohibit the use of public transit based solely on a single allegation of assault or other intentional act causing bodily injury while utilizing public transit services, and to create a working group to establish the process for doing so. While removing the criminal penalties, it still seeks to infringe on access to services in ways that violate basic rights of fundamental fairness and will unduly harm the most vulnerable members of society.

House Bill 1144, if passed, will disproportionately impact children, people with disabilities, and low-income families. People with disabilities who are unable to drive often rely upon public transportation to maintain their independence. The workgroup that would be established by Section 2 is tasked with creating a disability exception, but exception is not in the statutory prohibition in Section 1. Moreover, it is limited to a finding that the assault was directly related to the disability and would require the person to be accompanied by a direct support professional or another caregiver. There is no guidance on who would be making this finding, under what standard of proof, and the nexus required between the disability and assault, something potentially impossible to prove. For example, if a person with a physical disability is taunted, feels threatened, and fights back resulting in an allegation of assault, it is unclear if that

allegation would be considered directly related to the person's disability. Moreover, requiring this person to be accompanied by a direct support professional or another caregiver to ride public transportation would be overly onerous, further degrading, and serve no clear purpose.

Young people and their families will also be overwhelmingly harmed. In some jurisdictions, public transit is the only option for children to get to school. For example, the Baltimore City Public School System relies on the public bus system as its school busing. If two children get into a fight, or even one student accuses another of hitting them, the accused student or students will no longer be able to get to school. The bill also provides no time limit for the ban, potentially causing a lifelong ban from public transit for a youthful indiscretion.

The collateral impacts are far reaching. For people who cannot afford a car or are otherwise unable to drive, public transportation is their only way to travel and navigate their communities. Barring people from public transportation prevents them from getting to work, accessing healthcare, and engaging with other resources and services. Rideshares and taxicabs, in addition to being unaffordable to most people who rely on public transportation, do not exist in many rural areas of the state.

House Bill 1144 imposes a tremendous penalty – barring access to needed transportation based on a single allegation regardless of subsequent findings. It provides no probable cause standard for the accusation, no notice to the accused, no opportunity to refute or respond to the allegations, and no finding of guilt. While it calls for the Maryland Transit Administration (MTA) to establish an appeals process, there is no guidance for what that process must require nor is it clear whether the lack of an appellate process would preclude enforcement. The bill calls for this ban to go into effect June 1, 2025, earlier than the MTA will feasibly be able to develop a robust process. The workgroup intended to establish the code of conduct and protocols would first convene at the same time.

While the General Assembly often convenes workgroups to examine an issue and develop and implement recommendations, the workgroup created under House Bill 1144 Section 2 requires no such analysis, data collection, consideration of best practices, or protections for impacted individuals. Rather, by authorizing the creation of a code of conduct without external involvement or development of regulations that would require public comment and oversight,

concerns related to due process, equal protection, and other basic rights will only be addressed through subsequent costly litigation.

If an individual commits an assault on public transit, they already face serious penalties with a sentence of up to 10 years' incarceration. Creating a ban on public transit, particularly one explicitly intended to apply when the criminal standard is not met, will serve no public safety benefit, will violate the rights of individuals subject to this harsh punishment, and will have the unintended consequences of greater economic instability for poor individuals and families, less independence for people with disabilities, and denial of education for school-aged children.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on House Bill 1144.

Submitted by: Government Relations Division of the Maryland Office of the Public Defender.

**Authored by: Melissa Rothstein, Chief of External Affairs,
melissa.rothstein@maryland.gov, 410-767-9853.**