



Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

March 5, 2021

Delegate Anne Kaiser, Chair
Maryland House Ways and Means Committee
Room 131, House Office Building
Annapolis, MD 21401-1991

RE: HB1020 – Unfavorable

Delegate Kaiser and Committee Members:

My name is Katherine Berry. I am the Election Director in Carroll County and the co-chair of the Maryland Association of Election Officials (MAEO) Legislative Committee. MAEO represents the local boards of elections throughout the State of Maryland. I am writing today representing myself and MAEO in opposition to HB1020 Election Law – Curbside Voting – Establishment.

This bill would require that the State Board of Elections establish regulations for the local boards of elections to follow to allow for voters to vote “curbside” at a polling place. It would require SBE to authorize voters with a disability or who are pregnant to utilize this method of voting. This would establish a designated area 150 feet from the entrance of a polling place for curbside voting and allow for the voter to use a paper ballot or hand-held voting device. The voter would insert their paper ballot into a private container or require election judges to stand at least 4 feet from a voter who uses a hand-held voting device.

It should not be the responsibility of SBE or LBE’s to determine eligibility of voters to utilize this method of voting because it infringes on a person’s privacy. Additionally, if there were a line on election day and voters in line saw another voting process happening, they may ask to participate in it. It would put the election judges in a difficult position.

Most polling places and early voting centers are in locations that do not have direct viewing access to parking lots, so we would be required to hire additional bipartisan teams of election judges to manage this specific task. Additionally, the “electioneering zone” is 100 feet from the entrance of polling places in most counties, so establishment of an additional form of voting further than this zone creates questions of whether the zone would need to be altered. Typically, being 150 feet from the entrance creates traffic concerns because it is in the middle of parking lots.

Finally, since the current voting system does not have a portable hand-held device, voters who utilize curbside voting will not have the option to vote any other method than a paper ballot. This is particularly a concern for voters who have a disability that would normally vote on the ballot marking device. In addition, the election judge would be required to check the voter in on an electronic pollbook, facilitate their signature on a voter authority card. The bill also suggests using a private container to transport the ballot back into the polling place. By utilizing a container such as a provisional bag, we would have to establish chain of custody procedures because it is not typical that election judges touch a voter’s ballot once it has been voted. In addition, election judges may not be comfortable handling this process because their job is to facilitate voters voting, not casting the voter’s ballot for them.

If the voter wishes to vote in their car, LBE’s had a process for assisting voters in the parking lot to receive an absentee ballot in 2020 at the local offices. It should not be the responsibility of election judges to facilitate such a process.

As this committee knows, MAEO strives to increase ballot access, but also recognizes the constraints we are under to ensure that ballots are safe and secure and that there are enough resources to manage additional tasks. We would like to ask the committee for an unfavorable report as it pertains to HB1020.

Thank you for your time. If you have any questions, please contact me at (410)386-2958 or Katherine.berry@maryland.gov.

www.maeo.net