

CSG HB 231 MoCo DOT ATE.pdf

Uploaded by: Cheryl Cort

Position: FAV

February 10, 2022

Hon. Delegate Kumar P. Barve, Chair
Committee on Transportation and Environment
Maryland Housing of Delegates

Position: **Support** for HB 231 Montgomery County – Automated Traffic Enforcement –
Implementing Agency

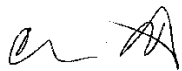
Please accept these comments on behalf of the Coalition for Smarter Growth, the leading non-profit organization in the D.C. region, including suburban Maryland, advocating for walkable, bikeable, inclusive, transit-oriented communities as the most sustainable and equitable way for the DC region to grow and provide opportunities for all.

We wish to express our support for HB 231 which would authorize Montgomery County to designate the Montgomery County Department of Transportation instead of a local law enforcement agency as the agency responsible for implementing automated traffic enforcement programs in the county.

This is a national best practice and already the case in the District of Columbia. Montgomery County Department of Transportation is in a better position to integrate the use of automated traffic enforcement as a tool to holistically carry out the agency's overall mission to plan, design and operate the county's roadways to ensure safety for all users, and support other community goals like economic development.

Thank you for the opportunity to provide testimony.

Sincerely,



Cheryl Cort
Policy Director

HB231-FAV-Heidi Rhodes, JUFJ.pdf

Uploaded by: Heidi Rhodes

Position: FAV

February 10, 2022

Heidi Rhodes
Colesville, Maryland 20904



TESTIMONY ON HB231 - POSITION: FAVORABLE

Montgomery County - Automated Traffic Enforcement - Implementing Agency MC 18-22

TO: Chair Barve, Vice Chair Stein, and members of the Environment and Transportation Committee
FROM: Heidi Rhodes, on behalf of Jews United for Justice (JUFJ)

My name is Heidi Rhodes. I am a resident of Maryland District 14 and Montgomery County District 5. I am submitting this testimony on behalf of Jews United for Justice in support of HB231, Montgomery County - Automated Traffic Enforcement - Implementing Agency MC 18-22. Jews United for Justice organizes 6,000 Jews and allies from across Maryland in support of local and state social, racial, and economic justice campaigns.

Jewish tradition teaches us in the book of Psalms “blessed are they who observe justice, who do righteousness at all times.” When we hear story after story of people being negatively impacted by their interactions with police, we know there is a lot of work to build that more just future. We must do everything possible to reduce interactions between police and community members that can result in harm, and not be reliant on police to do things that don't require police. We also should be moving funding from disproportionately large police department budgets to other departments that are in need of funding. To that end, we support changing how traffic violations are enforced in Montgomery County.

HB23 offers the very beginning of another vision of safety, one in which armed law enforcement officers are not responsible for ensuring safe roads for all drivers, pedestrians, and bikers. By enabling Montgomery County to choose to move automated traffic enforcement from the police department to the Montgomery County Department of Transportation (MCDOT), this bill is a small but important first step to creating a safer and more efficient system for everyone.

This transfer of responsibility is a reasonable, common-sense measure that other jurisdictions — including DC — have initiated.¹ HB231 will begin the process of engaging other government agencies in taking on responsibilities currently held by police that don't need to be done by police.

On behalf of Jews United for Justice, I respectfully urge this committee to return a favorable report on HB231.

¹ **Jurisdictions: Berkeley, CA; Brooklyn Center, MN; Cambridge, MA; Washington, DC.** Rubin, Leslie and DeFazio, Bill. “A Study on Reassigning Traffic Enforcement from the Montgomery County Police Department to the Montgomery County Department of Transportation,” Office of Legislative Oversight. P 21, https://www.montgomerycountymd.gov/OLO/Resources/Files/2021_Reports/OLOReport21-10.pdf.

Del Charlotte Crutchfield Written Testimony In Sup

Uploaded by: Jeremiah Pope

Position: FAV

CHARLOTTE CRUTCHFIELD
Legislative District 19
Montgomery County

Judiciary Committee

Subcommittees

Civil Law and Procedure
Chair, Family and Juvenile Law



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The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 10, 2022

Written Testimony in Support of House Bill 231
Montgomery County-Automated Traffic Enforcement-Implementing Agency

What is HB231?

This bill is enabling legislation which provides the Montgomery County Council with the authority to transfer the Montgomery County Automated Traffic Enforcement Unit, which administers the speed and red-light cameras, from the county Police Department (MCP) to the county's Department of Transportation (MCDOT).

A Favorable Report is Requested:

This legislation increases public safety and creates a more equitable framework for traffic enforcement by:

- Limiting the types of traffic stops that MCP may conduct.
- Reducing citizen contact and the possible escalated interactions of those contacts with MCP.
- Increasing organizational efficiency by housing this responsibility with MCDOT which has a focused mission on reducing accidents and fatalities through "Vision Zero".
- Allows MCP to focus on other more pressing duties outside of minor traffic stops.
- Removes human bias at the time a violation takes place.

Support:

Both the Montgomery County Executive and the Montgomery County Council (unanimously) support the bill.

I respectfully request a favorable report for House Bill 231.

Sincerely,
Delegate Charlotte Crutchfield

HB_231_PBTSAC_Daphnis_2022.pdf

Uploaded by: Kristy Daphnis

Position: FAV



PEDESTRIAN, BICYCLE AND TRAFFIC SAFETY ADVISORY COMMITTEE

Environment and Transportation Committee Hearing: HB231 Montgomery County – Automated Traffic Enforcement – Implementing Agency MC18-22 February 10, 2022, 1:00PM

Testimony Delivered by: Kristy Daphnis, Chair, Montgomery County Pedestrian, Bicycle, and Traffic Safety Advisory Committee

Bill Position: Favorable

Thank you for the opportunity to testify in support of HB 231. HB231 is a bill that will authorize Montgomery County to designate the Montgomery County Department of Transportation (MCDOT) - instead of the Montgomery County Police Department (MCPD) - as the agency responsible for implementing automated traffic enforcement programs in Montgomery County. Should responsibility shift from MCPD to MCDOT, this bill would require MCDOT to sign automated traffic enforcement citations.

The Montgomery County Pedestrian, Bicycle, and Traffic Safety Advisory Committee (PBTSAC) tasked with advising the County Executive and the County Council on issues related to traffic safety. It includes Members from the community, as well as Members from state and local agencies – including MCDOT and MCPD.

After a discussion of this legislation amongst PBTSAC Committee Members, we would like to ask the Committee to support this bill and report out favorably. Given the County and State Vision Zero goals and the actions that are necessary to move toward zero deaths – we feel that it is important for jurisdictions to be given control over alignment and management of interventions to achieve that goal. In this case, the enabling legislation HB231 would allow Montgomery County to assess how to best implement enforcement of existing traffic laws, including appropriate placement and administration of the County’s automated enforcement function. Passage of HB231 is an important and necessary step. It will allow the County to consider whether it is best to keep automated enforcement within MCPD (with continued program coordination between MCDOT and MCPD), or whether it makes more sense to wholly move that function from the MCPD to the MCDOT. This bill is important, because it allows and enables the County to assess this decision from policy and effectiveness perspective – versus having existing State laws in place as a barrier that prohibits mere consideration of that policy decision.

Thank you for your time and attention to this important matter.

Omodamola William. YPP. Testimony Supporting HB 23

Uploaded by: Omodamola Williams

Position: FAV

**Testimony for the Environment and Transportation Committee February
10th, 2022 – HB 231 / MC 18-22
SUPPORT**

Greetings, my name is Omodamola Williams. I am a resident of Gaithersburg in Montgomery County and am testifying on behalf of Young People for Progress. Young People for Progress is a member based civic and advocacy organization of young people under 35 in Montgomery County. We strongly support and urge the passage of HB 231 / MC 18-22, to enable Montgomery County to allow its Department of Transportation to oversee automated traffic enforcement. We thank Delegate Crutchfield for taking the lead in sponsoring this bill.

Police over the past few decades are burdened with too many responsibilities outside their core duties. Moving automated traffic enforcement to the Department of Transportation will allow the police to focus more on actual crime and allow automated traffic enforcement to be overseen by a more appropriate department. Modern police departments are responsible for an ever-increasing number of government functions and services that almost have nothing to do with an actual crime being committed. For example, a man having an anxiety attack, or a lady whose car has a flat tire would need services like Emergency Medical Responders and/or roadside assistance. So basically police departments are being pushed to be generalists instead of focusing on solving crime.

Allowing other departments to take more responsibility for services around issues in which they specialize will give the public more effective service and support. The Department of Health handles health violations and the Department of Housing handles housing violations; why should this be any different with transportation? We should not have police officers responsible for street safety conditions. By asking an organization whose responsibility is street safety to handle automated traffic enforcement, we allow the police to focus on more important matters to police while our Department of Transportation handles tasks they are better equipped for in the long term.

Thank you for your time.

Omodamola Eric Williams,
Young People for Progress

MD HB 231 - Automated Traffic Enforcement - Implem

Uploaded by: Peter Gray

Position: FAV



Environment and Transportation Committee
Kumar Barve, Chair
Dana Stein, Vice-Chair

Room 251
House Office Building
Annapolis, MD 21401

RE: HB 231 - Automated Traffic Enforcement - Implementing Agency

February 10, 2022

Mr. Chairman and members of the Committee, my name is Peter Gray and I represent the Washington Area Bicyclist Association. I am speaking on behalf of the 2000+ WABA members and several thousands of other supporters who live in Maryland.

We urge you to support HB 231, which would authorize Montgomery County to move oversight of automated traffic enforcement from the Montgomery County Police Department to the Montgomery County Department of Transportation. Automated enforcement is already a great tool to objectively enforce traffic laws without biases, and allowing MCDOT to implement speed and traffic monitoring systems can further move traffic enforcement into civilian hands. Moreover, as such enforcement actions are a significant tool in achieving the County's Vision Zero goals, it is far more efficient to have this enforcement managed by the same agency, MCDOT, that is charged with implementing the County Vision Zero Program.

In addition, according to data in Montgomery County's office of oversight report¹ and an analysis of County data², black and brown residents are disproportionately likely to be pulled over, receive a citation, and to have police force used against them during a traffic stop. This does not result in safer streets – rather, the opposite. This stokes distrust among community members and law enforcement. HB 231 is one step in the right direction to take policing out of traffic enforcement and focus more on automated systems, safe design, and preventative actions to reduce traffic violations and eliminate traffic injuries and fatalities.

¹ <https://www.montgomerycountymd.gov/OLO/Resources/Files/2020%20Reports/OLORreport2020-9.pdf>

² <https://public.tableau.com/profile/jpreinhard#!/vizhome/MOCOTrafficData/TrafficDataStory?publish=yes>

Therefore, we urge you to support HB 231. Thank you.

SSJC TESTIMONY FOR HB 231.pdf

Uploaded by: Robert Landau

Position: FAV

Testimony in FAVOR of HB 231

Testimony of Robert Landau

806 Gatestone St., Gaithersburg, MD 20878

RLandau806@gmail.com, 301.938.9850

On Behalf of Silver Spring Justice Coalition

My name is Robert Landau, and I am testifying for the Silver Spring Justice Coalition. Formed after the killing of Robert White by a Montgomery County Police Officer in 2018, we are a coalition of grassroots community organizations and residents of Montgomery County that works to eliminate harm by police while empowering community and individuals.

It is well documented that there are significant racial disparities in traffic stops. In Montgomery County Blacks are subject to traffic stops twice as often as Whites, and Black men are three times more likely to receive traffic violations than White men.

Traffic cameras, when properly placed and used, are a more objective way of increasing traffic safety, while moving police out of an area in which they are not needed and in which they cause harm. Moving the ticket-issuing authority to the County's Department of Transportation makes clear that traffic enforcement is not a police function, but a transportation department function, and helps move us to limit police-work to addressing serious crime.

But at the heart of this bill is local control and autonomy. The Montgomery County Executive and County Council have unanimously supported this enabling legislation, now two years in a row. I urge your favorable report of this bill.

HB 231 - MoCo_Morningstar_FAV (GA 22).pdf

Uploaded by: Sara Morningstar

Position: FAV



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

HB 231

DATE: February 10, 2022

SPONSOR: Montgomery County Delegation

ASSIGNED TO: Environment and Transportation

CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)

POSITION: SUPPORT

Montgomery County – Automated Traffic Enforcement – Implementing Agency MC 18-22

This is enabling legislation that was previously introduced in the 2021 Session and was supported by the County Executive and County Council as an important component of our Vision Zero strategy. By moving automated traffic enforcement (ATE) from the police department to the transportation department, we believe that the program will be better focused on traffic management goals that will lead to safer streets and fewer traffic injuries and fatalities.

House Bill 231 allows Montgomery County to transfer its ATE program from the Montgomery County Police Department (MCPD) to the Montgomery County Department of Transportation (MCDOT). The bill provides that in Montgomery County, MCDOT would be granted the authority to issue violation citations from speed cameras, red light cameras, and school bus cameras.

The 2021 bill was amended to add red light camera violations and school bus camera violations and passed the House by a vote of 97-39. It was heard in the Senate Judicial Proceedings Committee but did not advance before the end of session. This year's bill, HB 231, is in the same posture as the 2021 House-passed bill.

Montgomery County supports this enabling legislation and urges a favorable report.

HB231 2022 -- Takoma Park Mobilization -- Support.

Uploaded by: Seth Grimes

Position: FAV



HB0231: Montgomery County – Automated Traffic Enforcement – Implementing Agency

Takoma Park Mobilization – Support

February 10, 2022

Chair Barve and Members of the Environment and Transportation Committee:

Takoma Park Mobilization supports HB0231, which will allow Montgomery County to assign automated traffic enforcement program implementation to the county Department of Transportation.

Takoma Park Mobilization (tpmobilization.org) is an advocacy organization with over 2,500 followers. We're active in climate action and other environmental concerns, immigration, police and justice reform, and economic equity concerns. Our groups, in turn, participate in the Police Out of Traffic Enforcement working group of the Montgomery County Defund and Invest Coalition, which is led by Young People for Progress and supports this legislation.

Why “police out of traffic enforcement”? Because “driving while Black.” Because police traffic stops are racially biased, including in Montgomery County, as documented in Office of Legislative Oversight Report 2020-9, *Local Policing Data and Best Practices*. And stops are often pretextual, constituting harassment and intimidation and beyond that a manufactured opportunity for escalation. Consider Sandra Bland. Too often traffic stops devolve into police violence against Black and Brown drivers.

We support Montgomery County’s policy of shifting traffic enforcement to automated means, to speed and red-light cameras. And we believe that those cameras would be best operated by a single agency, one whose job is transportation safety rather than inclusive of tasks that are seen as requiring firearms.

Montgomery County needs this legislation in order to have the option of moving automated traffic enforcement to the county Department of Transportation. We note that County Executive Marc Elrich and all nine Council members support HB0231, just as they and you, the members of the Montgomery County Delegation, unanimously supported last year’s HB 564, which ran into a Senate end-of-session time crunch.

HB0231 is a simple, straightforward, hyper-local enabling bill that will advance us toward meeting Vision Zero goals for a safer community for pedestrians, bicyclists, and motor-vehicle drivers and passengers. It will do this by consolidating responsibility for roadway design and automated transportation enforcement in a single agency, in the right agency for the job where the sole focus is transportation.

Please give HB0231 a favorable committee report and floor vote.

Takoma Park Mobilization

Submitted by Seth Grimes, seth.grimes@gmail.com

Ashman Testimony- House Bill 313 Election Law Rec

Uploaded by: Barbara Zektick

Position: FWA



February 4, 2022

Delegate Vanessa E. Atterbeary
Chair, Ways and Means Committee
Room 131
House Office Building
Annapolis, Maryland 21401

Re: Opposition to House Bill 313, Election Law – Recall Elections

Dear Madam Chair and Members of the House Ways and Means Committee:

The Mayor and City Council of the City of Gaithersburg oppose House Bill 313 and respectfully request the Ways and Means Committee grant it an unfavorable report.

House Bill 313 proposes an amendment to the Maryland Constitution that subjects duly elected officials to state, county, municipal, and local boards of education positions to recall votes. The bill outlines a process for holding recall elections that lacks the requisite checks and balances necessary for all bona fide election procedures.

First, the bill requires a recall vote to take place even if only a very small minority of qualified voters request it. House Bill 313 only requires 25% of the voters who actually cast ballots in the election under scrutiny to trigger a recall vote. Under the City of Gaithersburg's charter and code, 20% of the qualified voters in the City must file for a recall vote to proceed. For illustration purposes, the City had 36,592 registered voters at the time of its city elections last November, so its current law would require 7,318 signatures on a successful recall petition. In that election, 4,836 votes were cast. House Bill 313 would only require 1,209 signatures on a recall petition, or three percent of the City's registered voters.

The bill's proposed process for selecting alternative candidates in a recall election is especially overbroad and problematic. House Bill 313 authorizes voters to write in any person they choose for election in a recalled vote, regardless of that write-in candidate's place of residency, age, or other qualifications. Given that traditionally, special elections have a much lower voter turnout than general elections, a very small minority of the City's full voting population could theoretically select the City's next Mayor or City Council. That new, duly elected Mayor, subject to no qualifications whatsoever, could be a ten year-old child who has never even heard of Gaithersburg. Theoretically, if 3,000 people vote in a Mayoral recall election and 1,501 votes to recall the Mayor, and those 1,501 voters write down four different candidates, then only 390 voters, or one percent of the City's registered voters, would be needed to select our City's next Mayor.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
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MAYOR
Jud Ashman

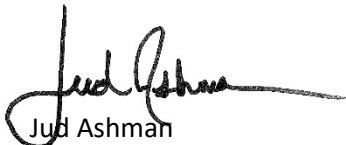
COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Jim McNulty
Ryan Spiegel
Robert T. Wu

CITY MANAGER
Tanisha R. Briley

The bill poses many other problems which put the integrity of the election process at risk. Current city law requires petitioners to state a specific reason for requesting a recall election, which is not required by the subject bill. The bill requires the petition to be filed with and certified by the Secretary of State, while our current code requires certification by our own Board of Supervisors of Elections. The bill grants petitioners nearly four months to file a petition asserting a recall vote, while our current law closes the window after a reasonable 45 days.

House Bill 313 would enable a very small minority of eligible voters to elect new officials in recall elections, for little or no articulable reason, months after any duly held election took place. For all of the reasons stated herein, we respectfully request this committee grant House Bill 313 an unfavorable report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jud Ashman", with a long horizontal flourish extending to the right.

Jud Ashman
Mayor
City of Gaithersburg