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POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 292 - Motor Vehicles – Secondary Enforcement and Admissibility of Evidence

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: January 28, 2025

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on SB 292.

The Maryland Office of the Public Defender urges this esteemed body to confront our unfortunate reality that unnecessary traffic stops in Maryland disproportionately impact Black drivers and contribute to inequities in policing. But unnecessary traffic stops don't just fuel racial disparities in policing, they also create a dangerous risk of escalation that can lead to harm and even death for community members and for law enforcement.

Traffic stops are one of the most common interactions between law enforcement and the public and they are dangerous. Vehicle incidents are the second highest cause of law-enforcement-related deaths in Maryland. Since 2021, there have been 62 law-enforcement-related deaths in Maryland; 30% of those deaths involved traffic stops and all of those deaths could have been avoided. It is time for Marylanders to reframe how we approach traffic enforcement—we must prioritize public safety while reducing the number of opportunities for biased policing.

SB 292, the Safer Traffic Stops for All bill, does just that by reclassifying non-safety-related violations, like expired tags or single broken taillights as secondary offenses rather than primary ones. In other words, the bill makes it so certain low-level violations will only be enforceable after a stop for a more serious, safety-related violation. Making this change allows law enforcement to focus on actual safety threats while also reducing opportunities for biased policing.

As we confront a significant statewide budget deficit, these reforms also allow us to redirect resources to address more critical safety issues, enhancing both public safety and community trust.

Other jurisdictions, such as Philadelphia, have already enacted similar legislation, resulting in a significant reduction in biased stops without compromising road safety. Virginia's traffic reform law has reduced racial disparities in traffic enforcement by 19% and Minnesota's Lights On! Program provides repair vouchers instead of citations for equipment-related violations. Similar changes are long overdue in Maryland. It's well past the time for us to follow suit and pass the Safer Traffic Stops for All bill to ensure that traffic enforcement works for all Marylanders, regardless of race.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on SB 292.

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