



State of Maryland
Department of State Police
Government Affairs Unit
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: January 28, 2025

BILL NUMBER: Senate Bill 292 **POSITION:** Letter of Information

BILL TITLE: Motor Vehicles – Secondary Enforcement and Admissibility of Evidence

REVIEW AND ANALYSIS

This legislation prohibits a police officer from enforcing certain vehicle laws as a primary violation. The violations for which a police officer can no longer stop a motor vehicle are, unregistered motor vehicle, expired tags, displaying tags issued to another vehicle, driving on suspended, canceled, or revoked registration, dropping hazardous materials on the highway or littering, blocking bus lanes, equipment violations, noise violations, to name just a few.

Under current law, a police officer is required to have probable cause that a violation is occurring or has occurred before making a traffic stop of a motor vehicle. Probable cause violations include faulty equipment, moving violations, registration violations, as well as criminal violations such as any number of alerts related to missing persons, silver alerts, stolen tags or vehicles. Traffic stops include moving and nonmoving violations and equipment repair orders.

The Maryland State Police (MSP) has been directly involved in a number of traffic initiatives for the purpose of safer highways and neighborhoods. Our agency has partnered with the Randallstown NAACP at their request for greater visibility and enforcement as well as the Lt Governor's work zone safety committee. In 2024 the work zone safety enforcement initiative resulted in over 12,000 traffic stops. Of these stops, 53 warrants were served, 15 criminal arrests were made along with 5 CDS arrests. One firearm was seized. Since June, 2024 MSPs other highway safety initiatives have resulted in over 8,000 traffic stops. Of these stops, 33 arrests were made for open warrants, 4 criminal arrests, 7 CDS arrests and 1 firearm was seized.

Another of the MSP's ongoing traffic safety initiatives includes a partnership between state and local law enforcement to patrol the feeder routes into Baltimore City. The NAACP wanted to see a greater law enforcement presence on MD. Rt 140 from I-695 to the Baltimore City line. Since the start of the program in the fall of 2022, together, law enforcement partners have made over 3,000 traffic stops resulting in 24 open warrant arrests, 15 criminal arrests, and 7 firearms seized.

Senate Bill 292 creates a prohibition for a police officer to stop a motor vehicle for certain traffic offenses. This prohibition is punishable by administrative disciplinary action against the officer and includes termination. Many of the offenses specified in the legislation are serious traffic violations which directly impact the safety of other drivers and pedestrians. As demonstrated earlier, traffic stops do provide a measure of criminal enforcement results.

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Motor vehicles are the main source for the importation of illegal guns, drugs, and fugitives to and from our neighborhoods. Many of the violations described in the legislation lead to the discovery of more serious crimes. Driving an unregistered vehicle or driving with tags belonging to another often lead to uninsured motor vehicles, or stolen cars. Additionally, unsafe vehicles, such as those without headlights, stop lights, or turn signals, make vehicles unsafe to operate and make our roadways more dangerous for the motoring public and pedestrians.

If a motor vehicle was driving on a roadway at night without any lights on, Senate Bill 292 would prohibit the officer from stopping the vehicle and possibly saving a life. Should the driver of this same vehicle be intoxicated, any evidence of the additional offenses would be inadmissible and the officer would be facing disciplinary action. Safe cars save lives.

The Maryland General Assembly has had to deal with a number of traffic related problems that impact the state: the increase in motor vehicles that are registered in surrounding states residing in Maryland, noise complaints from motorcycles, commercial vehicles and modified exhausts, uninsured motor vehicles, and overall traffic safety. Senate Bill 292 prevents law enforcement from enforcing many of these violations as a primary violation.

The Maryland Department of State Police hopes you find this information useful as you consider Senate Bill 292.