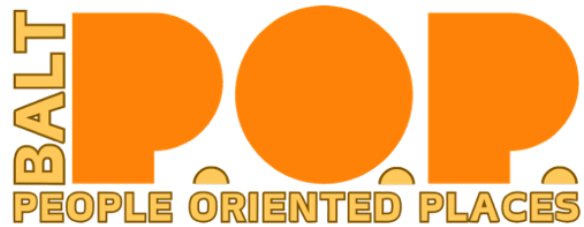


Bill: SB0118

Bill Title: Motor Vehicles – Speed Monitoring Systems – Penalties

Position: **Favorable with Amendments**



Members of the Senate Judicial Proceedings Committee,

As a group which advocates for a built environment which is safe and convenient for all people, whether they are moving through that environment on foot, on a bicycle, in a wheelchair, via public transit, or in an automobile, we feel that SB0118 is a very worthwhile bill which should be enacted into law.

The Maryland code has many long-standing precedents for charging those who break the law at different levels, depending on the specifics of each offense. Distinctions are made for violent crimes such as murder, rape, and assault - between first degree and second degree. These distinctions extend to non-violent crimes such as burglary. The difference between misdemeanor theft and felony theft is based on the value of what was stolen. Charges are pressed for animal cruelty at the same two tiers.

Given these precedents, it makes sense that the penalty amounts charged for speeding be similarly tiered.

Speeding is not a victimless crime. The risk of death and serious injury to a pedestrian struck by a moving vehicle increases in a very clear fashion as the speed of that vehicle rises.

...the average risk of **severe injury** for a pedestrian struck by a vehicle reaches **10%** at an impact speed of **16 mph**, 25% at 23 mph, **50% at 31 mph**, 75% at 39 mph, and **90% at 46 mph**.

The average risk of **death** for a pedestrian reaches **10%** at an impact speed of **23 mph**, 25% at 32 mph, **50% at 42 mph**, 75% at 50 mph, and **90% at 58 mph**.

Risks vary significantly by age. For example, the average risk of severe injury or death for a 70-year old pedestrian struck by a car traveling at 25 mph is similar to the risk for a 30-year-old pedestrian struck at 35 mph. [1]

The chances of a pedestrian dying when struck by a vehicle traveling at 42 mph is 50/50.

The most common lower bound speed limit you'll typically see in Maryland is 25 mph. Based on the speeding tiers currently found in the bill, a vehicle being driven at 40 mph in a zone marked for a limit of 25 mph would be subject to a fine of \$40. At 44 mph, the fine would be \$50. These are relatively small amounts. And yet, the risk of that speeding vehicle killing a pedestrian it strikes is basically 50/50. **A \$50 fine for needlessly putting someone at such a high risk of death seems low to us.**

Based on these stark numbers, **we'd like to see the penalty amounts at the first two tiers significantly raised.** The reasoning goes beyond simple punishment. Doing so will better reflect the true externalized risks speeding vehicles pose to the vulnerable road users around them, even at the lowest speeds.

We hope the committee finds these points helpful and convincing and we urge its members to **vote in favor of SB0118, with our suggested amendments.** Thank you for your efforts and the opportunity for us to testify on this legislation.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

References:

[1] Tefft, B.C. "Impact Speed and a Pedestrian's Risk of Severe Injury or Death". AAA Foundation for Traffic Safety. September 2011.

<https://aaafoundation.org/impact-speed-pedestrians-risk-severe-injury-death/>

Notes to myself

<https://www.criminaldefenselawyer.com/resources/criminal-defense/state-felony-laws/maryland-felony-class.htm>

<https://www.criminaldefenselawyer.com/resources/criminal-defense/crime-penalties/petty-theft-maryland-penalties-defense>

<https://mdcriminalattorney.net/maryland-assault-lawyer/first-and-second-degree/>

<https://www.criminaldefenselawyer.com/resources/cruelty-to-animals.html>

https://nacto.org/docs/usdg/relationship_between_speed_risk_fatal_injury_pedestrians_and_car_occupants_richards.pdf