



February 10, 2025

House Judiciary Committee
100-101 Taylor House Office Building
Annapolis, MD 21401 - 1991

SUPPORT IF AMENDED: HB0635 Motor Vehicles - Secondary Enforcement and Admissibility of Evidence

Bikemore, Baltimore City's livable streets advocacy organization representing more than 8,000 advocates and the 30% of Baltimoreans who lack access to a car, is writing to request amendments to HB0635.

We agree that the kind of traffic stop this legislation seeks to avoid is unsafe, endangering both drivers and police officers. We also recognize the demonstrated racially disparate nature of this kind of traffic stop. However, we have significant concerns with the legislation as drafted, and can only support the legislation with amendments.

We believe that a number of the violations that are being made secondary are of significant safety concern for vulnerable road users, specifically yielding while crossing bike lanes, turning from non-turn lanes, and failure to signal while turning. Drivers operating vehicles without headlights and mirrors are less likely to see vulnerable road users. And other violations cause significant travel delay for transit users, such as driving, standing, or parking in dedicated bus lanes.

Crashes involving these safety violations disproportionately injure and kill Black Baltimoreans, specifically Black men. Violations causing significant delay for transit users impact their access to opportunity, and transit users in the Baltimore region are majority lower-income and majority Black.

This legislation also inadvertently sets up a protected class of driver. A bicyclist or pedestrian littering on the street or otherwise disobeying one of these laws can still be subject to a primary stop for that violation, while a driver cannot. We know that these laws are also used as pretext stops of bicyclists and pedestrians, and that those bicyclists and pedestrians subjected to these stops are also most often Black and likely even more socially vulnerable than someone who has the privilege of affording a car. **If this legislation moves forward, it should be amended where appropriate to include pedestrians and operators of other vehicles like bicycles.**

We believe this legislation may inadvertently disallow a better method of police enforcement for these kinds of violations: high visibility enforcement. As referenced in the Office of Public Defender's FAQ, high visibility, DUI style checkpoints eliminate many of the problems with individual stops. Other countries utilize this style of stop for broader safety and registration checks, issuing repair or renewal orders instead of fines. **This legislation should be amended to make clear this style of enforcement shall be permitted as a primary enforcement mechanism for the listed violations.**

We believe that expanded automated enforcement, paired with scaled fines, payment plans, and other methods to equitably address the cost of fines can address many of these violations as well. However, there has been opposition by some sponsors of this legislation to usage of these alternative enforcement measures in the past, including efforts to curtail this enforcement in the Senate. **This legislation must be paired with authorization for jurisdictions to expand automated enforcement types and geographies.**

Finally, local jurisdictions must be clearly granted the authority to boot and tow vehicles with expired registrations, illegal or obscured plates, and for significant unpaid automated enforcement tickets using their non-police traffic enforcement officers. A lack of clarity and authorization here means passage of this legislation alone will result in jurisdictions having no legal means to address these issues.

We support the intent of this legislation. We believe that our concerns with this legislation can be addressed by incorporating our above feedback. And we believe with that feedback incorporated, safety for all road users in Maryland will be improved. But we can't support this legislation as drafted, and in isolation.

We urge the committee to incorporate our above recommendations if HB0635 moves forward.

Sincerely,



Jed Weeks
Executive Director

Amendment Summary:

- Replace “driver of motor vehicle” to include pedestrians and all other vehicle operators, including bicycles, play vehicles, and EPAMDs.
- Clearly permit high-visibility enforcement to conduct primary stops for these offenses.
- Authorize local jurisdictions to expand automated enforcement types and geographies.
- Make clear local jurisdictions have the authority to boot and tow vehicles using non-police traffic enforcement officers for expired registrations, fake tags, obscured tags, and unpaid automated enforcement citations.