



## **TESTIMONY IN SUPPORT OF HOUSE BILL 635**

### **Motor Vehicles - Secondary Enforcement and Admissibility of Evidence: *Safer Traffic Stops for All***

**TO: Members of the House Judiciary Committee**

**FROM: Center for Criminal Justice Reform, University of Baltimore School of Law**

**DATE: February 10, 2025**

The University of Baltimore School of Law Center for Criminal Justice Reform supports community driven efforts to improve public safety and address the harm and inequity caused by the criminal legal system. In alignment with this mission, we offer our strong support of HB 635.

Traffic stops are one of the most common sources of interactions between members of the public and police, and non-safety related traffic stops make up the bulk of these stops. Non-safety related traffic stops refer to low-risk infractions that do not create a safety risk to those in or outside of the vehicle, such as a broken taillight, expired registration or emission stickers. In the state of Maryland, according to the data, stops for non-safety related equipment and registration violations make up approximately 44% of all traffic stops, far more than moving violations and reckless driving.<sup>1</sup>

By making certain non-safety related traffic laws secondary violations as specified in the bill, HB 635 will simultaneously redirect police resources to more pressing public safety concerns, while also improving relationships between police and the community. This important reform will also promote racial equity by addressing a significant source of the pervasive racial disparities in Maryland's criminal justice system.

#### **I. Non-safety related traffic stops have no meaningful positive effect on public safety while perpetuating racial disparities and eroding systemic legitimacy.**

A well-established body of research demonstrates that non-safety related stops improve neither road safety nor crime-fighting efforts. Studies demonstrate these stops seldom result in the recovery of illegal firearms, while distracting law enforcement from more targeted and evidence-based policing strategies that address violent crime.

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<sup>1</sup> "Race-Based Traffic Stop Data Dashboard," Governor's Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

Moreover, 2023 data demonstrates that police stopped Black drivers in Maryland at rates 10 percent higher than white drivers.<sup>2</sup> Although Black people make up 30% of Maryland’s population, they account for 43% of those stopped, and are far more likely to be searched and/or arrested during these interactions than their white counterparts.<sup>3</sup> These realities cause significant stress that is unequally borne by Maryland’s Black drivers.

These dynamics erode trust between police and the communities they serve and the legitimacy of the criminal justice system overall. This is further damaged, often tragically, through preventable instances of use of force and other physically, economically, and psychologically distressing interactions between drivers and police. Given the numerous incidents documented in Baltimore and throughout the country, it is imperative that we act to limit unnecessary interactions with law enforcement, and the harassment and violence it too often leads to with impunity, especially when not captured on film. The distress caused by these types of interactions with police, disproportionately borne by Black Marylanders, has long been a significant impediment to community collaboration and trust.

## **II. Other jurisdictions across the country have demonstrated this reform can be implemented effectively and to important benefit.**

Due to the volume of research demonstrating the problem and pointing to effective solutions, other jurisdictions throughout the country have begun embracing these reforms. For example, Virginia’s Traffic Reform Law, which limits police authority to initiate stops for non-safety-related violations, led to a reduction in racial disparities in traffic enforcement by 19%.<sup>4</sup> Philadelphia’s Driving Equality Bill, which reclassifies certain non-safety related infractions as secondary offenses and prohibits police from stopping drivers for these violations, led to significant reductions in racial disparities with no negative impacts on traffic safety.<sup>5</sup>

For these reasons, we urge a favorable report on HB 635.

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<sup>2</sup> Maryland Governor’s Office of Crime Prevention and Policy, [Race-Based Traffic Stop Data Dashboard](#), 2023.

<sup>3</sup> Governor’s Office of Crime Prevention and Policy, Race-Based Traffic Stop Data Dashboard <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>

<sup>4</sup> [www.wtkr.com/news/politics/virginia-house-bill-would-reverse-law-limiting-minor-traffic-stops#:~:text=RICHMOND%2C%20Va.,for%20a%20minor%20traffic%20violation](http://www.wtkr.com/news/politics/virginia-house-bill-would-reverse-law-limiting-minor-traffic-stops#:~:text=RICHMOND%2C%20Va.,for%20a%20minor%20traffic%20violation).

<sup>5</sup> <https://www.phila.gov/media/20211109145453/executive-order-2021-06.pdf>.