

## Testimony Against HB0635

Honorable Delegates

Please enter an unfavorable report against HB0635.

I support the current law, whereby violations of the Maryland Vehicle Law are subject to primary enforcement unless otherwise specified. Accordingly, a police officer may detain a driver for a suspected violation of most provisions of the Maryland Vehicle Law without having to first suspect a violation of another State law.

Consequently, I do not support making the following vehicle offenses under the Transportation Article subject to secondary enforcement only:

- § 13-401 (driving or allowing an unregistered vehicle to be driven);
- § 13-411 (improperly displaying registration plates and tabs);
- § 13-701 (driving a vehicle without evidence of registration);
- § 13-703 (unauthorized use of registration card, plate, special plate, permit, or certificate of title);
- § 21-604 (failing to comply with turning, slowing, and stopping movements; failing to give required signals);
- § 21-605 (failing to give signals by hand and arm or signal lamps);
- § 21-1111 (putting glass, injurious substances, or refuse on highways, bridges, or public waters);
- § 21-1117 (engaging in skidding, spinning of wheels, and excessive noisemaking);
- § 21-1133 (driving, standing, or parking a vehicle in a dedicated bus lane);
- § 22-101(a)(2) (committing any forbidden act or failing to do any act required under Title 22 of the Transportation Article);
- § 22-203 (headlamp requirements);
- § 22-204 (tail lamp requirements; failing to properly illuminate rear registration plate);
- § 22-206 (stop lamp and electric turn signal requirements);
- § 22-403 (mirrors requirements);
- § 22-406 (safety glass requirements); and
- § 22-602 (exceeding the maximum sound limits, as specified in § 22-601, when driving a vehicle on a highway)

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This bill subjects specified vehicle offenses to secondary enforcement only. A police officer's failure to comply with these limitations may be grounds for administrative disciplinary action against the officer and any evidence obtained by the officer under such circumstances is inadmissible in any trial or other proceeding. Additionally, the bill requires a police officer to document all reasons for a traffic stop (or other stop) on any citation or police report resulting from the stop. The failure of a police officer to comply with existing specified existing statutory requirements at a traffic stop or other stop may serve as the basis for exclusion of evidence under the exclusionary rule.

I have been stopped several times for non-working lights, and while initially annoyed at the detainment, I realized that not having these devices working properly was a safety issue for me and other drivers. In every case, I was unaware of the situation and may not have noticed it for some time.

I believe that converting these listed items from primary enforcement to secondary enforcement would put the public in danger by ignoring safety issues and on some occasions, prevent the police from discovering that the person detained is actually wanted for a more serious crime.

This bill would make the job of police officers that much more difficult and increases their administrative duties. At a time when crime is increasing, and the number of police officers is decreasing, this bill would exacerbate the problems instead of solving them. This bill is just another example of some legislators not valuing policing and the public's safety.

Please enter an unfavorable report against HB0635.

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