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**Subject:** Favorable with Amendments HB 317 Curbside Voting

**Date:** February 4, 2025

**From:** National Federation of the Blind of Maryland  
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Email [President@nfbmd.org](mailto:President@nfbmd.org)

**To:** House Ways And Means Committee

The members of the National Federation of the Blind of Maryland urge the House Ways and Means Committee to vote in favor with amendment of HB317 Curbside Voting.

This bill establishes an avenue for individuals with certain disabilities and the elderly to be able to vote on election day without having to exit their vehicles. This will be a welcome reasonable accommodation for those with difficulty walking or standing.

However, this bill does not, in its current form, adequately address the serious privacy concerns that arise from having a voter vote in a vehicle where others may be present. To that end, the bill needs to be amended to expressly define how this method of voting will be effectuated in situations when other individuals are in the vehicle with the voter.

An additional limitation in the bill as it currently stands is that the bill does not clearly define how the voter's privacy and the integrity of the ballot will be maintained given that the voter relinquishes control of the ballot before it is scanned and deposited. This bill needs to be amended to include a procedure wherein two election judges from different political parties jointly maintain custody and control over the ballot and deposit it into the scanner.

Though the bill commits to ensuring the ballot marking device will be brought to the voter, it is not clear how this will occur given the heft and weight of the device. In addition, it is not clear by what means an individual would have their eligibility verified while they are curbside.

Most importantly to the National Federation of the Blind of Maryland is that we make clear that curbside voting is not a substitute or a viable solution for absentee voting. The State has a legal obligation to ensure all methods of voting are private, independent, and accessible, and it is

insufficient – according to the *Fourth Circuit Court of Appeals in National Federation of the Blind v. Lamone 1* – to avoid ensuring accessibility for absentee voting, e.g., the current state of discriminatory hard copy ballot return will not be resolved by enacting curbside voting for Election Day.

We urge the Ways and Means Committee to only vote favorable on HB317 if the bill is amended to: 1) address the privacy concerns inherent if others are present in the vehicle; and 2) include language about chain of custody and ballot integrity procedures for transporting the voted ballot to the scanner. Moreover, we only urge that this Committee report this bill favorably out of Committee if the members of the Committee truly understand that curbside voting is not an acceptable solution to the problem that blind, low vision, and print disabled voters experience when trying to return an inaccessible paper-based ballot when voting absentee. Nonetheless, with those amendments and the Committee’s understanding that curbside voting does not absolve Maryland of its obligations concerning absentee voting accessibility, we support this bill because it will assist one segment – though not all segments – of the community of voters with disabilities in Maryland.

For questions or additional information, please contact Ronza Othman at [President@nfbmd.org](mailto:President@nfbmd.org) or at 443-426-4110.