



February 4, 2026

The Honorable William C. Smith, Jr.  
Chair, Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 366 – Intelligent Speed Assistance System Pilot Program**  
**Position: Favorable with Amendment**

Dear Chair Smith:

On behalf of the Alliance for Automotive Innovation<sup>1</sup> (Auto Innovators), I wanted to express our support for SB 366, legislation designed to curb the epidemic of habitual and excessive speeders, and also respectfully ask consideration of a perfecting amendment discussed below.

Our members have invested countless research and development capital to continually improve vehicle safety systems not only to increase the chances of surviving, but also to help avoid a crash in the first place. But the efficacy of these safety systems is largely undermined when drivers consciously and consistently use vehicles in an unsafe manner. It is estimated that speeding contributes to nearly one-third of all deaths on our roadways today. Passing SB 366 with amendment would show a commitment to improving roadway safety using available, common-sense tools, and would help reduce speed-related incidents across Maryland and the roadway fatalities associated with this reckless behavior.

This legislation introduces a proactive approach to combatting reckless driving by mandating the use of Intelligent Speed Assistance (ISA) technology in the vehicles of certain high-risk drivers. The bill responds to an increase in dangerous driving behaviors and speeding-related traffic deaths in the post-COVID world. Habitual offenders that exceed a specific threshold of offenses will be required to install certified monitoring technologies on their vehicles to keep them in line with posted speed limits while the device is installed.

Despite the best efforts of regulators and law enforcement professionals, we know some drivers who have lost the privilege to drive continue to do so. Employing this approach allows the drivers found guilty of speeding-related offences to maintain their mobility – which is often the key to remaining employed and housed – but requires them to do so in a more safe and responsible manner. The inclusion of penalties for tampering with the ISA system reinforces the integrity of this initiative and further supports compliance.

As drafted, the legislation is balanced to promote safer driving habits and underscores the seriousness of hazardous driving behaviors. Done correctly, this legislation could provide a blueprint for other states to follow when addressing this issue which plagues every state.

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<sup>1</sup> From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer and smarter personal transportation future.

[www.autosinnovate.org](http://www.autosinnovate.org).

## Amendment Request

Having said that, we do believe the legislation could be improved with the addition of certain clarifications of liability and responsibility relative to automakers. The language is based on an aftermarket intelligent speed limit law in Washington and has been negotiated and agreed to with the aftermarket manufacturers of these devices and their trade association.

The suggested amendments are intended to clarify that manufacturers, distributors, or dealers are not held unjustly liable if an aftermarket ISA device is improperly installed and results in a crash or other adverse outcome. In addition, it ensures that the requirements set forth in the bill are not read as a de facto mandate that manufacturers build vehicles specifically to be compatible with these devices.

Finally, it's common practice in lease and finance agreements that modifications to a vehicle are something the lessor or finance company needs to know about and potentially approve depending on the nature of the modification and the contract. A speed device that is still on the car after the lease turn-in would likely affect the resale value of the car, and it could create a disclosure obligation that could complicate future sales. Subparagraph (c) makes clear that financing agreements that require notification of an aftermarket speed limit device must still be respected.

As such, we would respectfully ask for the inclusion of the following text:

- (xx) A manufacturer?distributor.or.retailer.of.a.motor.vehicle.is.not.liable.for.any.loss?injury?or.damages.caused.by.the.design?manufacture?installation?improper.installation?use?or.misuse.of.an.aftermarket.intelligent.speed.assistance.device;.However?liability.does.exist.if.the.manufacturer?distributor.or.retailer.of.a.motor.vehicle.knowingly.engages.in.a.repair.or.update.to.the.aftermarket.intelligent.speed.assistance.device.and.such.repair.or.update.proximately.causes.loss?injury?or.damage;
- (xx) Nothing.in.this.chapter.requires.a.manufacturer?distributor.or.retailer.of.a.motor.vehicle.to.manufacture?distribute?or.offer.for.sale.a.motor.vehicle.that.includes.or.is.compatible.with.an.aftermarket.intelligent.speed.assistance.device;
- (xx) Nothing.in.this.chapter.prohibits.a.lessor.or.lienholder.from.requiring.that.a.motor.vehicle.lessee.or.owner.notify.the.lessor.or.lienholder.that.an.aftermarket.intelligent.speed.assistance.device.has.been.installed.on.a.motor.vehicle.that.is.subject.to.a.lease.or.finance.agreement;

As the above has been vetted and approved by many voices calling for the adoption of this legislation, we hope these additions are viewed as friendly amendments.

For all the above reasons, Auto Innovators offers its strong support for an amended version of this bill and respectfully asks for your favorable consideration. If I can answer any questions or provide any further information, please do not hesitate to contact me at 202-326-5562 or [jfisher@autosinnovate.org](mailto:jfisher@autosinnovate.org).

Respectfully submitted,



Josh Fisher  
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Alliance for Automotive Innovation