

Testimony Against SB0055

Honorable Senators

Please enter an unfavorable report for SB0055.

I do not support:

- requiring a police officer to document all reasons for a traffic stop or other stop on a citation or police report resulting from the stop;
- establishing that certain evidence obtained during a traffic stop or other stop in violation of certain provisions of law may be excluded as evidence in certain proceedings;
- authorizing a police officer to enforce certain provisions of the Maryland Vehicle Law only as a secondary action; and
- applying certain provisions of this Act retroactively (rarely a good idea).

According to this bill, the following infractions would no longer be a primary reason for the police to stop a driver on Maryland roads

1. Driving with expired tags
2. Driving with a non-working headlight
3. Driving with a non-working rear license plate light
4. Littering while driving
5. Driving with overly tinted windows

All of these issues were passed because of safety reasons.

I have been stopped for items 2 and 3 several times. In each case, I was unaware that these lights were out and I got them repaired. Although, I was concerned initially why I was being pulled over, once I understood the reason, I appreciated knowing that I had a safety issue to correct.

The police have a hard enough time enforcing the highway laws without being hampered by this bill. Those driving with expired tags may be criminals, including illegals, those without insurance, those with outstanding parking tickets who are barred from getting new stickers. Not making this a primary offense removes one of the main ways police have for detecting these law breakers.

Those without rear license plate lights makes enforcing item 1 more difficult.

How many people who litter are doing so while speeding? The State and counties incur great costs to remove dangerous and unsightly litter. It would be galling for the police to watch someone throw trash in front of them and know they cannot do anything because the driver was not committing a primary offense at the same time.

Finally, I believe the heavily tinted windows are a danger to the police as they cannot see in the cars and they should be ticketed when discovered before they are doing a primary offense.

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What is worse about this bill is the administrative sanctions that would be imposed if a veteran police officer should forget that these offenses are no longer primary and pull someone over like they have done for years. This section is particularly onerous.

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