



NATASHA DARTIGUE  
PUBLIC DEFENDER  
KEITH LOTRIDGE  
DEPUTY PUBLIC DEFENDER  
HANNIBAL KEMERER  
CHIEF OF STAFF  
ELIZABETH HILLIARD  
DIRECTOR OF GOVERNMENT RELATIONS

## POSITION ON PROPOSED LEGISLATION

BILL: House Bill 81 - Motor Vehicles – Police Stops – Secondary Enforcement and Excludable Evidence  
FROM: Maryland Office of the Public Defender  
POSITION: Favorable  
DATE: February 24, 2026

---

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 81. Under current law, all but five provisions of Maryland’s traffic laws are subject to primary enforcement. A violation that is subject to primary enforcement means one that may serve as the only reason a law enforcement officer stops a vehicle. If enacted, House Bill 81, Safer Traffic Stops for All, would make certain violations that are unrelated to driver safety no longer subject to primary enforcement. Instead, those low-level violations would only be enforceable as secondary violations, meaning a law enforcement officer could not stop a vehicle due to the violation but could issue a ticket or citation or service repair order, after a stop for a different primary violation. Specifically, this bill makes the following offenses subject to secondary enforcement:

- driving with a registration plate expired for less than four months (Md. Trans. §§ 13-401; 13-701);
- displaying an expired registration (Md. Trans. § 13-411);
- driving with only one white-light headlight (Md. Trans. § 22-203);
- driving without an illuminated license plate (Md. Trans. § 22-204);
- driving with one outside rearview mirror when the interior rearview mirror is obstructed (Md. Trans. § 22-403); and
- driving with excessive window tinting (Md. Trans. § 22-406).

As introduced, House Bill 81 includes making littering (Md. Trans § 21-1111) a secondary offense, but OPD anticipates an early sponsor-amendment removing littering from the enumerated offenses and OPD is amenable to that amendment. Additionally, we understand that there are three sponsor amendments being introduced at the request of the Attorney General to: remove the retroactivity provision, to clarify what information an officer must disclose under Criminal Procedure § 2-109, and to permit a primary stop if there are three or more secondary stop violations; we are

amenable to these three amendments. It is imperative, however, that expired registration – if the registration has been expired for 4 months or less – move to a secondary stop. Thus, we urge the committee to resist any amendment that would remove expired registration - if it has been expired for 4 months or less – from the bill and keep it as a primary stop violation.

### Current Enforcement Practices Are Dangerous and Lead to Inequities

Traffic stops are one of the most common interactions between law enforcement and the public and they are often dangerous for the officers and the individuals in the car. Vehicle incidents are the second highest cause of law-enforcement-related deaths in Maryland. Since 2021, there have been 62 law-enforcement-related deaths in Maryland; 30% of those deaths involved traffic stops and all of those deaths could have been avoided. While national data show recent declines in overall traffic-related line-of-duty deaths,<sup>1</sup> the threat remains significant and avoidable.<sup>2</sup>

*Unnecessary* traffic stops place people at risk and divert critical resources from responding to serious threats. As modified by the anticipated sponsor amendment, House Bill 81 advances meaningful reform by reclassifying six non-safety-related violations as secondary offenses rather than primary reasons for a stop. In practice, this means these low-level traffic violations and equipment issues will be enforceable only after an officer has lawfully stopped a vehicle for a genuine safety or legal concern—such as unsafe speeds, reckless driving, other hazardous conduct, or an ongoing criminal investigation. This change allows law enforcement to focus on genuine safety threats while reducing unnecessary, low-level stops.

Importantly, reforms like those in House Bill 81 do not abandon traffic safety; they refocus enforcement on real hazards that endanger lives. Maryland's Race-Based Traffic Stop Data

---

<sup>1</sup>Claudia Lauer, *New report shows a 25% drop in deaths of on-duty law enforcement officers*, AP News.com (Jan. 6, 2026), <https://apnews.com/article/onduty-officer-deaths-2025-903002e6d28678f69d02123b9e3b05b4>.

<sup>2</sup> In addition to stops themselves being dangerous, traffic pursuits that begin as stops are dangerous. In fact, fatal collisions during police traffic pursuits have had tragic consequences in Maryland and have been on the rise nationally. Jemar R. Bather, Ph.D; Melody S. Goodman, Ph.D, *National and Regional Trends in Police Pursuit Fatalities in the US*, JamaNetwork.com, (Nov. 21, 2024) <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2826559>. Most recently, prosecutors and independent reviews documented multiple deaths of innocent bystanders in Prince George's County in early 2025 after drivers fled from traffic stops, including a child under age four. See Jasmine Golden, *Three bystanders have died in crashes after drivers fled police in Md., Wash. Post* (Mar. 28, 2025), <https://www.washingtonpost.com/dc-md-va/2025/03/28/drivers-flee-police-pursuit-prince-georges/>) These incidents were brief and occurred less than 1.5 miles from the original stop locations, magnifying the public safety risks of conventional enforcement practices.

Dashboard<sup>3</sup> continues to demonstrate that equipment and registration violations constitute the largest share of traffic stops, while moving violations and crashes are a smaller fraction—despite the latter being more directly linked to public safety. As we confront a significant statewide budget deficit, traffic stop reform will allow us to redirect resources to address more critical safety issues, enhancing both public safety and community trust.

Other jurisdictions have pursued similar reforms with measurable impacts. For example, in Philadelphia, the Driving Equality Act restricts police from stopping drivers solely for low-level violations. Since passing the Driving Equality Act, non-safety related stops for Black people fell by 54% while other stops for more serious violations like running red lights or stop signs have actually increased.<sup>4</sup> And, because police officers were able to shift their focus to investigating more serious offenses, Philadelphia police actually recovered guns during *more* traffic stops than they did previously, despite making 70-percent fewer stops.<sup>5</sup> That bears repeating: eliminating non-safety-related stops from primary enforcement actually leads to more, not less, firearms recovered. In Virginia, their traffic reform law reduced racial disparities in traffic enforcement by 19%, and when a local Connecticut jurisdiction refocused enforcement priorities away from low-level offenses, it saw a 250% increase in stops that resulted in a DUI arrest.<sup>6</sup> While outcomes vary and long-term equity effects continue to be evaluated, these reforms demonstrate that alternative enforcement frameworks can reduce needless police interactions without compromising safety.<sup>7</sup>

---

<sup>3</sup> Maryland Governor's Office of Crime Prevention and Policy Race-Based Traffic Stop Data Dashboard,

<https://app.powerbigov.us/view?r=eyJrIjoiM2Q5ZDhIOTQ0tNWQ3YS00M2I1LWE0YWQtZWJjY2I1ZjI0YjAyIiwidCI6IjYwYWZlOWUyLTQ5Y2Q0NDIiMS04ODUxLTY0ZGYwMjc2YTJlOCJ9>

<sup>4</sup> Sammy Caiola, *Data shows Philly traffic stops involving Black men are down 54%: A Philadelphia law intended to reduce the number of traffic stops for minor vehicle violations appears to be working, according to a new analysis of Philadelphia Police Dept.*, WHYY (Mar. 6, 2023), [why.org/articles/philadelphiadriving-equality-act-data-traffic-stops-black-men-reduction/](https://www.whyy.org/articles/philadelphiadriving-equality-act-data-traffic-stops-black-men-reduction/).

<sup>5</sup> Howard Monroe, *New Philly law takes weapons off the streets, data shows*, CBSNews.com (Mar. 3, 2023), [www.cbsnews.com/philadelphia/news/new-philly-law-takes-weapons-off-the-streets-data-shows/](https://www.cbsnews.com/philadelphia/news/new-philly-law-takes-weapons-off-the-streets-data-shows/).

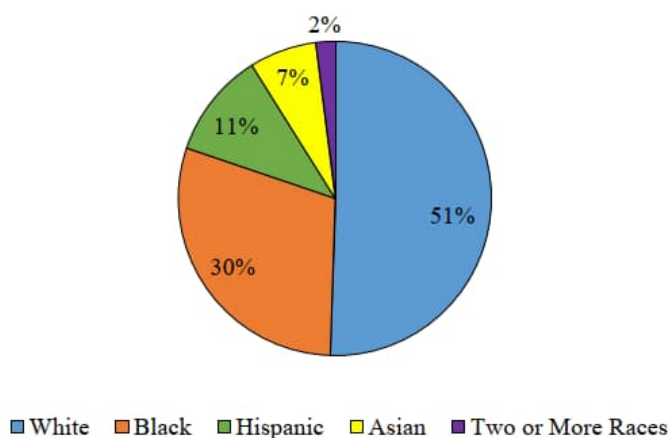
<sup>6</sup> Tom Condon, *After a poor start, CT's anti-racial profiling effort is making progress: New legislation could significantly change how police conduct traffic stops*, CTMirror (Jan. 30, 2022), [perma.cc/5JKB-HF2Z](https://www.ctmirror.com/story/2022/01/30/ct-anti-racial-profiling-effort-is-making-progress-new-legislation-could-significantly-change-how-police-conduct-traffic-stops/2022-01-30/).

<sup>7</sup> Beyond enforcement practice reforms, cities nationwide are also embracing technology-driven strategies to improve road safety. For example, San Jose's AI-powered road-hazard detection system correctly identifies potholes with 97 % accuracy and is being expanded to spot debris and other conditions that can lead to serious crashes, helping cities prioritize maintenance and hazard mitigation without increasing police-initiated stops. These innovative approaches demonstrate that alternative enforcement frameworks and data-informed safety technologies can reduce needless police interactions and improve transportation safety without compromising public safety outcomes. See, Jeff McMurray, *How San Jose and other cities are using AI to improve road safety*, LA Times

## Black People are Disproportionately Stopped for Traffic Infractions

Even when law enforcement has the best of intentions, unconscious and conscious biases impact policing. This is particularly true when it comes to traffic stops. The Maryland Office of the Public Defender urges this Committee to accept and confront the undeniable reality that unnecessary traffic stops in Maryland disproportionately impact Black drivers and contribute to inequities in policing. Data from the Governor's Office of Crime Prevention and Policy (GOCP) shows that in 2023, Black drivers accounted for approximately 43% of all traffic stops, despite Black Marylanders making up about 32% of the state's population.<sup>8</sup> In contrast, white drivers comprised 39% of stops while representing 57% of the population. Exhibit 1 shows the racial and ethnic breakdown of Maryland's age-eligible drivers.<sup>9</sup>

**Exhibit 1**  
**Maryland's Age 16+ Driving Population**  
**2023**



Note: Numbers may not sum to total due to rounding.

Source: U.S. Census Bureau; Department of Legislative Services

---

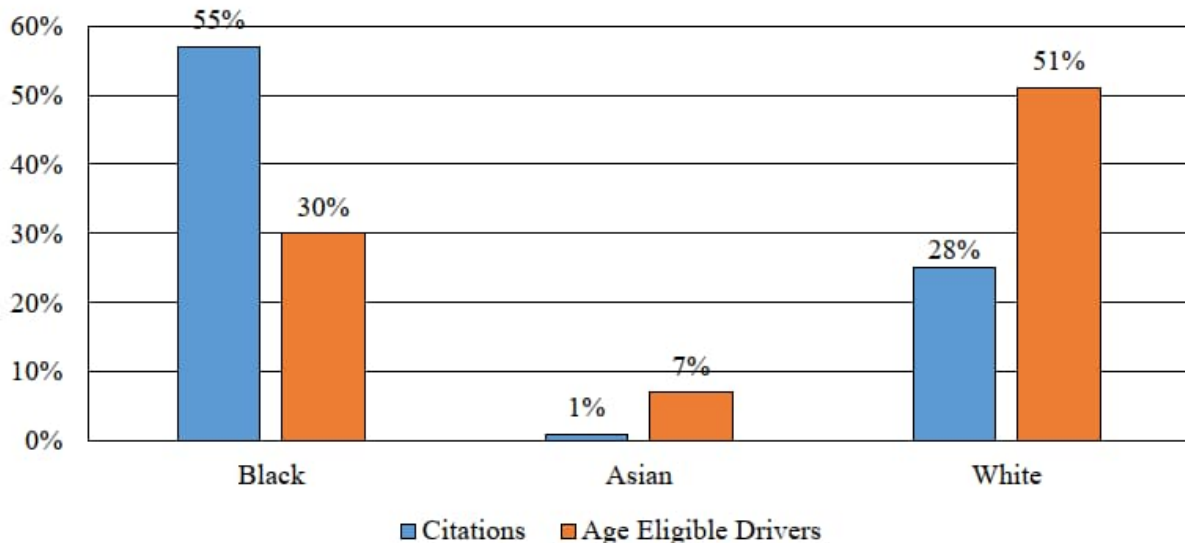
(Nov. 17, 2025) <https://www.latimes.com/business/story/2025-11-17/how-san-jose-other-cities-are-using-ai-to-improve-road-safety>).

<sup>8</sup> Maryland Governor's Office of Crime Prevention and Policy Race-Based Traffic Stop Data Dashboard, <https://app.powerbigov.us/view?r=eyJrIjoiM2Q5ZDhIOTQ0tNWQ3YS00M2I1LWE0YWQ0tZWJjY2I1ZjI0YjAylwiidCI6IjYwYWZlOWUyLTQ5Y2Q0tNDiIMS04ODUxLTY0ZGYwMjc2YTJlOCJ9>

<sup>9</sup> Racial Equity Impact Note (REIN) for House Bill 81 at 4, Md. Dept. of Leg. Servs., <https://mgaleg.maryland.gov/Pubs/BudgetFiscal/2026RS-HB0081-REIN.pdf>.

Exhibit 2 demonstrates that Black drivers are overrepresented in the population of drivers receiving citations for the offense that would become secondary violations under the bill.<sup>10</sup> Data from the Maryland Judiciary for calendar year 2024 shows the racial makeup of drivers who received traffic citations for the offenses covered by the bill. Analysis from the Racial Equity Impact Note (REIN) for House Bill 81 demonstrates that, “[o]f the traffic citations issued for violations that the bill would restrict to secondary enforcement, 57% were issued to Black drivers, 25% to white drivers, and 1% to Asian drivers.”<sup>11</sup> Furthermore, the REIN indicates that Black drivers in Maryland “are nearly twice as likely to be issued a traffic citation for the specified violations [identified by the bill] as would be expected given their proportion of the State’s driving population.”<sup>12</sup>

**Exhibit 2**  
**District Court Data for Specified**  
**Traffic Offense Citations**  
**2024**



Source: Administrative Office of the Courts; Department of Legislative Services

<sup>10</sup> *Id.* at 5.

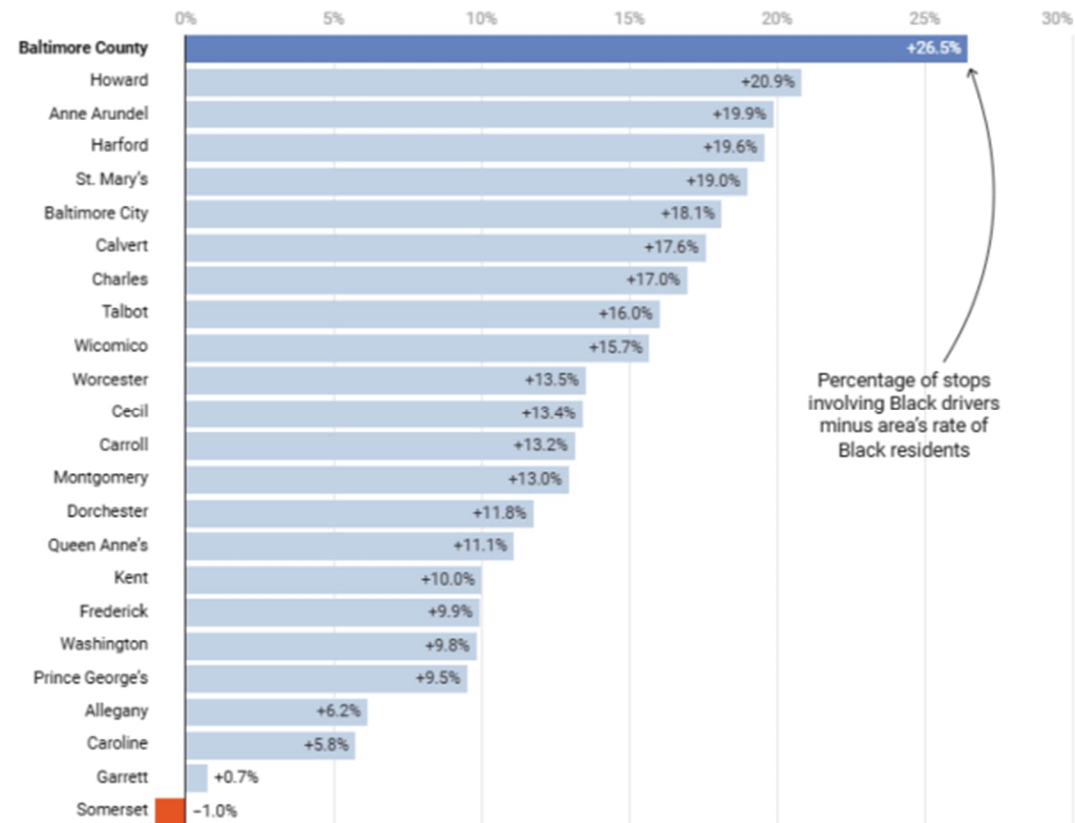
<sup>11</sup> *Id.* at 4.

<sup>12</sup> *Id.* at 5.

In addition to the above-referenced statistics, The [Baltimore Banner](#) also analyzed traffic stop data from GOCPP, and concluded similarly, that throughout Maryland, Black drivers get stopped at disproportionately higher rates than other drivers.

### Black drivers get stopped at high rates throughout Maryland – but Baltimore County stands out

Just about everywhere in Maryland, local police departments issue tickets to Black drivers at rates disproportionate to their areas' demographics. But Baltimore County's disparity is the starkest by far.



Data represents traffic stops from 2018–2024, beginning when data was first submitted in a consistent format by departments statewide.

The rate of tickets issued to Black drivers in each area is based on the stops made by the law enforcement agency in that area that issued the most tickets – the county police department in Anne Arundel, Howard, Montgomery, Prince George's and Baltimore counties, the Baltimore City Police Department in Baltimore City and the county sheriff's offices in all other areas.

Chart: Greg Morton/The Banner • Source: Governor's Office of Crime Prevention and Policy

Unfortunately, the racial disparity is even worse when looking at data solely for equipment stops, like an unilluminated license plate. In Anne Arundel County, for example, Black people made up 42% of all equipment related stops, despite comprising only 20% of the population. In Baltimore County, Black people were stopped for 65% of all equipment related stops despite comprising only 32% of the population; and in Montgomery County, Black people were stopped for 41% of all equipment related traffic stops despite the fact that only 20% of Montgomery County is Black. Low-level traffic stops are also more dangerous, and especially so for Black and Brown people. Data shows

that law enforcement is 1.9 times as likely to use force on white drivers during a non-safety related stop than at a safety stop; and they are 2.9 times more likely to use force on Black drivers at a non-safety related stop than at safety stop, and 2.4 times more likely to use force on Latine drivers at a non-safety related stop than at safety stop.<sup>13</sup>

Regardless of why, Maryland's data supports that Black people are disproportionately stopped for traffic violations. The legislature must respond by eliminating the number of times and ways an officer can exercise discretion to initiate a traffic stop when safety is not at issue – for example, when someone has failed to pay their registration fee. This change would not impact road safety, it would merely expand, by a small number, the amount of stops already limited to secondary enforcement. This is not a new idea. Maryland has already recognized that there are non-safety violations that can be subject to secondary enforcement including an object hanging from a rear view mirror that obstructs a driver's view; driving with a partially obscured license plate; violating passenger restrictions on a provisional license; driving without headlights in rainy conditions; and failing to wear a seatbelt by a passenger over 16 in the back seat. House Bill 81 simply proposes to include six other minor infractions like driving with only one side mirror when the rear view mirror is obstructed, failing to pay a registration fee for less than four months, failing to illuminate a license plate, and having one headlight out.

Reducing the amount of times an officer can exercise discretion for non-safety-related stops will drive down disparity and allow for more focused enforcement. We have seen this successful outcome in jurisdictions who have made the changes House Bill 81 proposes. There are quantifiable benefits to limiting traffic stops. For example, when police officers in Fayetteville, North Carolina, stopped making traffic stops for certain low-level traffic stops, car accidents went down, and non-traffic-related crime was unaffected.<sup>14</sup> In Philadelphia, once police officers were able to shift their focus away from low level infractions and towards investigating more serious offenses, Philadelphia police actually recovered more guns during more traffic stops, despite making 70-percent fewer

---

<sup>13</sup> Matthew A. Graham, Scarlet Neath, Kim S. Buchanan, Kerry Mulligan, Tracey Lloyd, and Phillip Atiba, *Racial disparities in use of force at traffic stops*, Center for Policing Equity, (Aug. 20, 2024) <https://policingequity.org/wp-content/uploads/2024/08/CPE-Use-of-Force-at-Traffic-Stops-Data-Brief-2024.pdf>.

<sup>14</sup> Mike Dolan Fliss, Frank Baumgartner, Paul Delamater, Steve Marshall, Charles Poole, & Whitney Robinson, *Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities*, *Inj. Epidemiol*, Vol. 7, Article 3 (2020), [injepijournal.biomedcentral.com/articles/10.1186/s40621-019-0227-6](https://www.injepijournal.biomedcentral.com/articles/10.1186/s40621-019-0227-6).

stops.<sup>15</sup> The changes that these other jurisdictions have made to traffic enforcement demonstrates that the use of armed police officers is not the only or even the best method for low-level traffic enforcement.

Moreover, this is not novel. Maryland would join at least 12 state or local governments that have passed policies to limit non-safety-related stops, including California; Illinois; New York; Oregon; Virginia; Ann Arbor, Michigan; Chapel Hill, North Carolina; Memphis, Tennessee; Philadelphia and Pittsburgh, Pennsylvania; Shaker Heights, Ohio; and West Hollywood, California.<sup>16</sup>

Maryland's data unequivocally indicates that Black people are disproportionately stopped for traffic stops and also disproportionately subject to searches, citations, and arrests.<sup>17</sup> House Bill 81 will address this inequity, by converting minor, regulatory-based infractions that bear no relationship to road safety to secondary stops. House Bill 81 reduces the number of reasons that officers can initiate a traffic stop, which will undoubtedly reduce the number of *unnecessary* traffic stops. We are long overdue for Maryland to change the way our traffic laws are enforced. House Bill 81 will help us on the way to ensure that traffic enforcement works fairly for all Marylanders, improve community trust, and enhance public safety.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on House Bill 81.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.  
Authored by: Deborah Katz Levi and Tia Holmes, [Deborah.Levi@Maryland.Gov](mailto:Deborah.Levi@Maryland.Gov);  
[Tia.Holmes@Maryland.gov](mailto:Tia.Holmes@Maryland.gov).

---

<sup>15</sup> Howard Monroe, *New Philly law takes weapons off the streets, data shows*, CBSNews.com (Mar. 3, 2023), [www.cbsnews.com/philadelphia/news/new-philly-law-takes-weapons-off-the-streets-data-shows/](http://www.cbsnews.com/philadelphia/news/new-philly-law-takes-weapons-off-the-streets-data-shows/).

<sup>16</sup> At least 18 jurisdictions have limited these stops by police order, including Alliance, Nebraska; Berkeley, California; Culver City, California; Duluth, MN; Fayetteville, North Carolina; Hamden, Connecticut; Lansing, Michigan; Los Angeles, California; Mecklenburg County, North Carolina; Minneapolis, Minnesota; Nashville, Tennessee; New Haven, Connecticut; Newington, Connecticut; Oakland, California; Portland, Oregon; Ramsey County, Minnesota (Maplewood, New Brighton, Roseville, Saint Anthony Village, and Saint Paul); San Francisco; and Seattle, Washington. And at least six jurisdictions have limited these stops by prosecutorial policy, including Chittenden County, Vermont; Ingham County, Michigan; Ramsey County, Minnesota; San Francisco County, California; Suffolk County, Massachusetts; and Washtenaw County, Michigan.

<sup>17</sup> See REIN, *supra* note 9 (“As past research has consistently shown, Black and Hispanic drivers are more likely to be stopped, searched, and cited compared to white drivers.”)