

Good evening,

My name is Earl Stoddard, Assistant Chief Administrative Officer, and I am here testifying on behalf of County Executive Elrich for Bill 12-23 known as the STEP Act. The Executive has several concerns about the Bill as drafted. First, the County Executive is concerned generally about any attempt by the County Council to prevent him or the Executive agencies from fulfilling their obligations to uphold State Law. The Executive, the Chief of Police, and all MCPD officers have sworn to enforce the laws of the State of Maryland, including the Annotated Code of Maryland Transportation Article. While Bill 12-23 references local authorities granted under Title 25-102 of the Transportation Article, the County Attorney has raised concerns that this Bill exceeds those authorities.

The County Executive also has concerns about limiting enforcement in several areas. For example, the Executive takes issue with prohibiting enforcement of registration violations related to lack of insurance. Uninsured drivers present a significant increased hazard to motor vehicle, pedestrian, and bicyclist safety. The County Executive also has concerns about ignoring window tint violations.

Overall, the Executive supports measures to ensure Constitutional traffic stops. The stops should be focused on the violations observed and not on any ulterior enforcement purpose. He believes recent measures implemented by the Executive Branch and the County Council will help achieve these objectives. Firstly, in 2021, MCPD updated the traffic stop policy to address pretextual stops and searches. The Council also passed Bill 18-21 to require random review of body-worn camera video to ensure officers are following the law and departmental policy. Further, the recently completed Effective Law Enforcement for All (ELEFA) audit recommends additional measures including secondary clearance codes and improved training that will continue to promote traffic stop consistency and data collection. Traffic stops are down 68% from 2019. While we need greater enforcement of moving violations, this reduction also reflects the prioritization of enforcement towards more serious threats to traffic safety.

Finally, it is important that we clearly state that the County Executive supports an increase in automated enforcement, including for registration, faulty vehicle equipment, and moving violations. As these items are governed by the Transportation Article, action at the State level will be necessary to expand the authority to conduct automated enforcement. At present, the County Department of Transportation has the ability to identify registration violations. The Executive has directed the Department to assess their capability to issue warnings in this area. However, citations for failure to comply with those warnings can only be issued by sworn police officers. Future expanded automated enforcement would be subject to modification of State Law and the availability of reliable technology. This is an area of great interest for the County Executive to keep our roadways safe, allow the Police department to focus on more serious crimes, and reduce potential for negative interactions.