

Economic Impact Statement

Montgomery County, Maryland

Bill 12-23

Police – Traffic Stops – Limitations

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that enacting Bill 12-23 would have an insignificant impact on economic conditions in the County in terms of the Council’s priority indicators.

BACKGROUND AND PURPOSE OF BILL 12-23

Racial disparities in traffic stops, the most frequent type of engagement between police offices and the public, has been a concern nationally and locally.¹ As described in OLO Report 2021-10, “[s]tudies show that Black and Latino drivers are stopped and searched during traffic stops for lower-level traffic violations at disproportionately higher rates compared to White drivers.”² Locally, OLO Report 2022-12 recently found that racial disparities in traffic stops persisted or worsened between FY18 and FY22.³

As described in the introduction staff report, the purpose of Bill 12-23, the Safety and Traffic Equity in Policing (STEP) Act, “is to promote fairness by reducing racial disparities that occur during a traffic stop, promote safety and reduce community trauma by limiting traffic stops, improve community policing relations, and further the County’s Vision Zero goals.” If enacted, Bill 12-23 would:⁴

- **Prohibit a police officer from conducting a stop for certain traffic offenses.** The Bill would prohibit traffic stops by police officers based solely on suspected violation of traffic offenses related to licensing and registration; certificate of title or insurance; window tinting; defective headlamp or taillight; illuminated license plate; minor windshield obstructions; and other provisions under Title 22 of Maryland Vehicle Law. The Bill would also prohibit traffic stops of a person for suspected violation of crossing against a walk signal or crosswalk (i.e., jaywalking). If a police officer identifies one of these offenses as a secondary violation after conducting an initial traffic stop for a reason not prohibited under this Bill, the officer must first issue a verbal or written warning for the secondary violation, and issue a citation for the second or subsequent offenses.
- **Prohibit a police officer from conducting consent searches of a vehicle.** Under the Bill, a police officer could ask for permission to conduct a consent search of a person or vehicle only if the officer has reasonable suspicion or probable cause to believe that a criminal offense arose during the traffic stop.
- **Require the collection of data and information related to traffic stops.** The Bill would require the Chief of Police to collect, publish, and report traffic stop data on the initial reason justifying each traffic stop; biased stops on a

¹ [Introduction Staff Report for Bill 12-23](#).

² Rubin Blaise DeFazio, [OLO Report 2021-10](#).

³ Carrizosa, [OLO Memorandum Report 2022-12](#).

⁴ [Introduction Staff Report for Bill 12-23](#)

per-police officer basis;^v complaints related to a biased stop by a police officer; and alleged and sustained violations of provisions of this Bill.

The provisions of this Bill would be excluded from collective bargaining. An officer who violates a provision under this Bill would be subject to disciplinary action in accordance with the state approved Uniform Disciplinary Matrix.⁵

Bill 12-23, Police – Traffic Stops – Limitations, was introduced by the Council on February 28, 2023.

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

Per Section 2-81B of the Montgomery County Code, the purpose of this Economic Impact Statement is to assess the impacts of Bill 12-23 on County-based private organizations and residents in terms of the Council's priority economic indicators and whether the Bill would likely result in a net positive or negative impact on overall economic conditions in the County.⁶ While changes to policing practices could have indirect economic impacts on individuals, information limitations prevent OLO from estimating them. For this reason, OLO anticipates that the Bill would have an insignificant, direct impact on private organizations, residents, and overall economic conditions in the County in terms of the indicators prioritized by the Council.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

DISCUSSION ITEMS

Not applicable

WORKS CITED

[Introduction Staff Report](#) for Bill 12-23. Montgomery County Council. Introduced February 28, 2023.

Rubin, Leslie and Blaise DeFazio. [OLO Report 2021-10](#). Office of Legislative Oversight. July 27, 2021.

Carrizosa, Natalia. [OLO Memorandum Report 2022-12](#). Office of Legislative Oversight. October 25, 2022.

Montgomery County Code. [Sec. 2-81B, Economic Impact Statements](#).

⁵ [Statewide Police Disciplinary Matrix](#).

⁶ Montgomery County Code, [Sec. 2-81B](#).

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.