



**Testimony for the House Environment and Transportation Committee
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**HB 1375 Driver Education Curriculum - Rights of Drivers Involved in Traffic
Stops**

FAVORABLE

The ACLU of Maryland supports HB 1375, which would require the MVA to adopt regulations requiring that classroom instruction for the driver education program include instruction on (1) the right to say no to the search of a vehicle; (2) the right to not admit to speeding or any other traffic violation; and (3) other rights of drivers who are involved in a traffic stop. MVA must also include content on the rights of drivers who are involved in traffic stops in the State Driver's Manual.

Marylanders rely on law enforcement to keep us safe and treat us all fairly, regardless of race, ethnicity, national origin or religion. The ACLU of Maryland—and ACLU affiliates across the country—are everyday working with community partners and law enforcement to educate the public about their rights in police encounters, including their rights during traffic stops. To this end, the ACLU of Maryland operates a robust statewide Know Your Rights (KYR) program. KYR trainings cover police interactions on the street, in your car and in your home and they provide basic knowledge about street-level police interactions including when you have the right to refuse to speak with police, how to refuse a search, and how to respond if you feel your rights have been violated. Most importantly, KYR trainings provide practical advice for how to get through a police encounter safely, while asserting your rights calmly. One of most fundamental principles we share with participants of our KYR trainings is that if an officer asks to look inside your car, you can and should refuse to consent to the search. HB 1375 furthers this goal.

The importance of understanding one's rights during a traffic stop is especially acute for communities of color, who are stopped and searched at rates disproportionate to their white counterparts. According to the annual Race-based Traffic Stops reporting, in 2016 "African American and Hispanic males were significantly more likely to be searched than any other race."¹ The right to refuse a search is therefore clearly a racial justice issue.

For the foregoing reasons, we urge a favorable report on HB 1375.

¹ Governor's Office of Crime Control and Prevention, 2015 Race-based Traffic Stop Data Analysis (2016), p. 13. Available at <https://goccp.maryland.gov/wp-content/uploads/traffic-stop-report-2016.pdf>.

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