



## Senate Bill 199

### *Transit and Transportation Service – Audio Recordings – Requirements and Limitations*

MACo Position: **OPPOSE**

To: Environment and Transportation Committee

Date: March 24, 2016

From: Andrea E. Mansfield

The Maryland Association of Counties (MACo) **OPPOSES** SB 199. This bill would establish several new restrictions on the use of audio recording devices on state and local public transit. The bill would require that recording devices be located no more than 5 feet from the vehicle operator and activated by the operator or automatically only in the event of an incident involving public safety that requires documentation. The bill also establishes criteria for the retention, access, and dissemination of the audio recording.

A number of local governments operate transit vehicles, some of which are equipped with multiple audio recording devices connected to cameras that engage when the bus is turned on and disengage when the bus is turned off. The systems operate in this manner largely for safety reasons for both the riding public and the bus operators. Under SB 199, counties would need to retrofit audio systems already installed on buses to meet the new criteria that these systems are under the control of the operator or activated automatically. This would not only be a costly endeavor for a number of counties, but could also jeopardize the safety of the operator and the public riding the bus. The additional step required to activate the recording device would be another distraction in a situation where the driver is already dealing with a public safety issue occurring on a moving bus.

Local transit systems also have protocols in place for specifying designated areas to be recorded, criteria for signage, and who may access the video. Most systems operate a recording loop where the system records for a period of time and then it records over. If an incident occurs, the driver is able to hit a button to mark the appropriate timeframe and only that section of the recording loop is copied if necessary. In addition, signs are displayed prominently so passengers know they are being recorded. When verifying an incident, the footage may be used by transit staff, the police, or the State's Attorney - following a strict chain of command involving supervisors and public safety officials.

MACo believes counties have proper protocols in place for addressing the issues raised in SB 199. They strike the right balance for a public transit system and serve to keep the systems safe for the public ridership. Therefore, MACo urges the Committee to give SB 199 an **UNFAVORABLE** report and allow counties to continue to regulate their transit systems in a manner that works for each individual jurisdiction instead of mandating restrictive statewide limitations.