



Senate Bill 199

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

MACo Position: **OPPOSE**

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To: Judicial Proceedings Committee

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 under the exclusive control of the vehicle operator and activated by the operator only in the event of an incident involving public safety that requires documentation.

A number of local governments operate transit vehicles, some of which are equipped with audio recording devices 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. 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. For example, one system in particular only records activity in the area around the bus operator, displays signs prominently so passengers know they are being recorded, and only uses the footage to verify security incidents. 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.