**Maryland General Assembly**

**Legislative Priorities for the 2024 Session**

**TABLE OF CONTENTS**

 Page

[Accessible Electronic Ballot Return System for Voters with Disabilities](#Ballot) 2

[Better Bus Service Act of 2024](#Bus) 4

[Textbook Equity for Blind Students Act](#Textbook) 6

[Appropriation for the Center of Excellence in Nonvisual Access (CENA) to Education,](#CENA) 8
[Public Information, and Commerce](#CENA)

Subject: **Accessible Electronic Ballot R****eturn System for Voters with Disabilities**

From: Members of the National Federation of the Blind of Maryland

To: Members of the Maryland General Assembly

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**Date: January 18, 2024**

**THE PROBLEM**

The current by mail ballot return process in Maryland is a paper-based system that discriminates against blind voters and those with other print disabilities. Maryland’s system strips these voters of their right to vote privately and independently and has the impact of disenfranchising voters.

**PROPOSED ACTION**

The Maryland General Assembly must pass legislation that requires the Maryland State Board of Elections to establish an accessible electronic ballot return process for voters with disabilities for use beginning the 2026 primary election.

**BACKGROUND**

Maryland voters have many choices when casting their ballot. They may vote in person or vote by mail. Voters may submit a permanent request so that they automatically receive a by mail ballot each election. After the ballot is submitted, the election officials can inform the voter that their ballot was received by the Board of Elections in several ways. The voter selects these methods of contact and can even be notified by text message. While these technological advances have improved the voting process, more needs to be done in order to ensure all voices are heard. For example, the state of Maryland lacks an accessible electronic ballot return system, requiring blind and low-vision voters and those with print disabilities to need assistance printing, signing and certifying, and mailing in or dropping off their ballots. As a result, the voter’s privacy and independence are compromised, meaning others see the voter’s choices and can even alter the voter’s selections without their knowledge.

People with print disabilities must return their ballots at the cost of losing privacy and ballot secrecy. The ballots can be marked online but must be printed and signed before it can be sent by mail or dropped in a ballot box. Many people have no access to a printer, so they must have someone else print their ballot. They require assistance from another person in finding where to sign their ballot and preparing it for delivery by mail or by drop box. Those who assist them are able to see — and even alter — for whom the voter voted, which is inconsistent with voter privacy and independence principles and compromises the security of these voters’ ballots.

Thirteen states currently have electronic ballot return systems in place for voters with disabilities, including: Alaska, Colorado, Delaware, Hawaii, Indiana, Louisiana, Maine, Massachusetts, North Carolina, North Dakota, Rhode Island, Utah, and West Virginia. In addition, 33 states and territories offer electronic ballot return for military and overseas voters, including: Alabama, Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, Texas, Utah, Virgin Islands, Washington, and West Virginia.

Opponents of electronic ballot return cite security concerns as the reason why Maryland should not establish such a system. However, 33 states and territories operate such a system, some of them for well over a decade, and there have been no security breaches. Moreover, voters with disabilities who cannot, without assistance, read, sign, certify, or submit a paper ballot due to their disabilities are themselves vulnerable to having their ballots changed without their knowledge or consent; consequently, forcing people with disabilities to vote by paper achieves the same vulnerability for disabled voters in terms of security that opponents argue is the obstacle to implement such a system. In fact, electronic ballot return is far more secure for voters with disabilities than paper ballots because safeguards will be in place to prevent outside interference with those ballots.

**CONCLUSION**

In order to ensure voters with disabilities have access to a private, independent, and secure ballot, the Maryland General Assembly must pass legislation directing the Maryland State Board of Elections to establish an accessible electronic ballot return system for use beginning the 2026 primary election. This will remedy the lack of privacy and independence that such voters face when using the vote by mail process. It will also resolve the lack of security that these voters face due to the number of hands and eyes to which their ballots are exposed during the printing, signature and certification, and submission process. Maryland cannot sacrifice disabled voters’ civil rights based on some nebulous, unproven, and overblown fear about security.

Subject: **Better Bus S****ervice Act of 2024**

From: Members of the National Federation of the Blind of Maryland

To: Members of the Maryland General Assembly

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**Date: January 18, 2024**

**THE PROBLEM**

Blind and low vision Marylanders rely on public transportation to get to work, medical appointments, worship services, and other places. The public transportation system in Maryland is riddled with problems, including inconsistent and late fixed route bus service. The impact of these challenges on riders is significant — from losing their jobs to missing dialysis and other critical medical appointments to missing religious services, and more. This problem is exacerbated by drivers who stop, drive, and park in bus lanes, which effectively slow down buses and block access to bus stops for those with disabilities. In addition, many with disabilities can only get on and off buses at a bus stop due to accessibility barriers that exist elsewhere, and those who drive, stop, and park in the bus lane prevent riders with disabilities from being able to access the buses on which those riders depend to move about their communities.

**PROPOSED ACTION**

The Maryland General Assembly must pass the Better Bus Service Act of 2024, which will implement prohibitions on driving, stopping, and parking in dedicated bus lanes state-wide.

**BACKGROUND**

In 2022, the Maryland General Assembly passed legislation, specific only to Baltimore City, that prohibited drivers from using dedicated bus lanes and established a bus monitoring system that captured vehicle information for drivers that violated this law. However, the current legislation expands the prohibition state-wide and clarifies which vehicles are covered. The 2022 law was intended to clear Baltimore City’s dedicated bus lanes of non-bus traffic in order to make sure buses could travel without obstructions. In addition, the law decreased the number of instances when a non-authorized vehicle blocked a bus stop, resulting in passengers with disabilities being able to get on and off buses safely and accessibly. This bill was intended to deter misuse of bus lanes and improve on-time rates for Baltimore City buses while ensuring accessibility for riders with disabilities.

The problem persists state-wide however, and thus the law needs to be expanded throughout Maryland.

**CONCLUSION**

In order to ensure passengers with disabilities throughout Maryland can get on and off buses safely and without obstruction, and in order to improve on-time performance of the public transportation system, the Maryland General Assembly must pass the Better Bus Service Act of 2024.

Subject: **Textbook Equity** **for Blind Students Act**

From: Members of the National Federation of the Blind of Maryland

To: Members of the Maryland General Assembly

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**Date: January 18, 2024**

**THE PROBLEM**

Blind students do not have an equitable education because they do not get their textbooks and supplementary instructional materials in a timely manner. Sometimes, they do not get them at all.

**PROPOSED ACTION**

The Maryland General Assembly should pass The Textbook Equity for Blind Students Act. This bill will require: 1) county boards of education to make their decisions about which textbooks to use for the coming school year by January 15; 2) the Maryland State Department of Education to purchase the book if the Maryland Instructional Resource Center (MIRC) does not have it or cannot locate it; and 3) publishers of pupil edition textbooks to send an electronic file in the National Instructional Material Access Standards Format (NIMAS) for any book purchased in Maryland.

**BACKGROUND**

In 1992, the Braille Literacy Rights and Education Act was enacted into law. This bill required the Maryland State Department of Education (MSDE) to coordinate the availability of textbooks in accessible media, including Braille and large print, for blind students. The result was the establishment of the Maryland Instructional Resource Center. All the local education agencies agreed to store their books at the MIRC and to allow the MIRC to give the books to other counties if they were needed. In 2006, legislation was enacted to help with the acquisition of textbooks that were not produced in accessible media. Problems remain because counties do not make their decisions about which textbooks to use in the coming year early enough to have the book transcribed into accessible media.

Currently, if the MIRC does not possess a given textbook, it will tell the county boards the cost to produce it in the needed format. Many counties either cannot afford or will not pay to have the textbook produced in the needed alternate format, so the blind student is left without a textbook. The 2006 legislation said that MSDE should collaborate and support the MIRC, but action must be taken to solve the problem of acquiring textbooks. If blind students are to have an equitable education, the MSDE should fund the production of books.

The 2006 law also called on publishers to give an electronic file in the NIMAS format if they were asked to do so. This language doesn’t work because the burden is on counties to ask publishers for the book, and they do not do so. Therefore, the 2006 law needs to be updated and strengthened to meet these needs and to take advantage of advances in technology.

**BENEFITS OF THE PROPOSED LEGISLATION**

The legislation assigns specific functions to MSDE and the publishers. MSDE has been supporting the MIRC since its inception, but additional support is needed when counties do not pay for the cost of production of textbooks and instructional materials. The goal of MSDE is to provide equity throughout Maryland. Blind students should not be denied access to instructional materials because of where they live.

The proposed bill will require that publishers send an electronic file in the NIMAS format of every pupil edition textbook sold in Maryland to the National Instructional Materials Access Center, beginning in 2025. The National Instructional Materials Access Center will store these files for use in production of the books. This should not be a burden on publishers because of advances in technology and software applications. Many publishers are even able to provide math and science books for translation and production. While the translation of math and science books into Braille certainly is not perfect, it has improved since 2006.

The legislation will provide greater accountability to the entire process of acquiring access to books and other instructional materials. The MIRC will be required to report yearly to MSDE on the accessibility and delivery of textbooks and supplementary instructional materials including the number of requests that cannot be filled and why, and on the number of electronic files delivered to the National Instructional Material Access Center by publishers. MSDE will be required to put the data provided by the MIRC on its website for public review. The department will also be required to provide a report yearly to the Governor and General Assembly concerning whether blind students are gaining equitable access to instructional materials.

**CONCLUSION**

The problem of providing blind students with access to the curriculum is yet to be solved because of issues with access to textbooks and supplementary instructional materials. County Boards of Education must be required to make their decision about which textbooks and supplementary instructional materials will be used in the coming school year early enough so that there is time to produce these materials. The general assembly and MSDE have attempted to provide access, but those attempts are not enough. It is time to update the 2006 law. This legislation will assign specific responsibilities to the local education agencies and to MSDE. Publishers must play a role in providing an electronic file in the NIMAS format to the National Instructional Materials Access Center because of the time and money that will be saved by having the file. Enforcement of the law is most important. The accountability measures in the bill will make enforcement possible. Blind students are entitled to receive their textbooks and supplementary instructional material at the same time as their sighted peers. They should not be penalized because of the area of the state they live in. It is time to provide blind students with an equitable education.

Subject: **Appropriation for the Center of Excellence** **in Nonvisual Access (CENA) to Education,
Public Information, and Commerce**

From: Members of the National Federation of the Blind of Maryland

To: Members of the Maryland General Assembly

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**Date: January 18, 2024**

**PROPOSED ACTION:**

The Maryland General Assembly should maintain the $250,000 appropriation for the Nonvisual Accessibility Initiative (NVAI) in the Governor’s Budget to support the Center of Excellence in Nonvisual Accessibility (CENA) to Education, Public Information, and Commerce.

**BACKGROUND:**

In 2014, the National Federation of the Blind (NFB) founded the NFB Center of Excellence in Nonvisual Accessibility (CENA) as a center of expertise, best practices, and resources that enable business, government, and educational institutions to provide accessible information and services effectively to blind citizens. The State of Maryland, through the Maryland Department of Disabilities (MDOD), partners with the CENA to support a series of projects under the NVAI, maintaining the state of Maryland as an ongoing leader in nonvisual accessibility.

The public-private partnership between the NFB CENA and MDOD continues to improved the standard of accessibility throughout the state, and our collaboration will continue to build a more accessible Maryland through the development and implementation of a variety of projects within the following six focus areas.

**I Enhancing Access to Education Technology and Strategies**

Inaccessible instructional materials prevent blind and low-vision students from accessing the fundamental tools of education, leaving them woefully unprepared for their futures. In the coming year, through the NVAI, the NFB will continue to address the lack of accessible education technology, digital publications, and instructional materials by conducting trainings on tools, strategies, and best practices in the creation and dissemination of tools that are “Born Accessible.” The CENA has collaborated with the William E. Kirwan Center for Academic Innovation to support digital accessibility efforts across the University System of Maryland by co-hosting seminars on how to build support for faculty around digital accessibility for learning. Our most recent seminar included an immersive experience that exposed all attendees to the tools and strategies blind and low-vision individuals use to access information. The CENA will continue to build on this relationship by developing and executing additional seminars that continue to highlight best practices and emerging strategies for providing accessible digital content.

**II Enhance Access to Employment-Related Tools and Services**

The unemployment/underemployment rate for blind people in this country continues to exceed 70 percent, and the need to utilize more online, digital, and virtual means of providing employment services and supports has created both problems and opportunities. Under the NVAI, the CENA/MDOD will continue to work in coordination with the Maryland State Department of Labor and Department of Rehabilitation Services to develop and implement the training and tools that will enhance access to public employment programs and services, and create greater employment opportunities for blind and low-vision Maryland job seekers. In addition, the NFB will conduct outreach to employers in an effort to provide them with training and support to eliminate the employment barriers faced by blind and low-vision Maryland citizens.

**III Offering Accessibility Boutiques and Other Training Seminars**

Accessibility boutiques are one to two-hour basic overviews/trainings designed to create public awareness about accessible software, products, services, and strategies. Quarterly trainings are half-day trainings that offer a more substantive training experience to the participants and address major issues related to nonvisual accessibility. The CENA/MDOD will continue to offer accessibility boutiques and quarterly trainings, at no cost to Maryland citizens, on topics that assist both laymen and professionals to remain knowledgeable of the evolving tools, strategies, and best practices to build a more accessible Maryland.

**IV Maintaining the Accessibility Switchboard**

The NFB will continue to develop and market the Accessibility Switchboard, a dynamic online portal consisting of an accessibility information resource for consumers and a compliance information portal for organizations. This work will be informed by accessibility experts from educational institutions, corporations, and the public sector.

**V Assisting with the Integration of Smart Technologies for Accessible Cities**

The development and implementation of accessible, safe, affordable, and efficient transportation allows blind and low-vision Maryland citizens to independently travel throughout their communities. In addition, emerging nonvisual access navigation or wayfinding technologies facilitate independent access to a variety of public and commercial venues, including college campuses, public and commercial buildings, and other environments. In order to promote the integration of innovative technologies and strategies toward the creation of accessible cities, the CENA/MDOD will continue to participate in meetings and establish partnerships with technology developers and city planners in the evaluation and implementation of various transportation and wayfinding strategies. Our active involvement will assist in the integration of accessibility features throughout public spaces that are seamless and esthetically pleasing.

**VI Coordinating the Accessibility Inclusion Fellowship Program**

The “Final Report of the Study on Accessibility Concepts in Computer Science, Information Systems and Information Technology Programs in Higher Education” recommended that three annual fellowships be awarded to help instructors begin to include accessibility concepts contained within the minimum areas of instruction in at least one course offering in their institution. The CENA/MDOD has offered these fellowships, and will continue to recruit and support an additional cohort in the coming year.

**CONCLUSION**

Access to information remains one of the greatest barriers faced by blind people. The public-private partnership between the NFB CENA and MDOD continues to be an effective method of removing these barriers by providing information about best practices and developing innovative techniques for achieving nonvisual access. The Maryland General Assembly should allow this exemplary partnership to continue by approving the $250,000 appropriation in the Governor’s Budget under the Maryland Department of Disabilities.