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By: **Prince George's County Delegation and Montgomery County  
Delegation**

Introduced and read first time: February 6, 2002  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 23, 2002

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CHAPTER 388

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Police Force**  
3 **PG/MC 101-02**

4 FOR the purpose of establishing the Washington Suburban Sanitary Commission  
5 (WSSC) police force; limiting the law enforcement powers of WSSC police  
6 officers to certain property; specifying certain conditions under which WSSC  
7 police officers may exercise law enforcement powers on certain property;  
8 requiring the WSSC to adopt certain regulations; providing that certain  
9 standards do not affect the status of certain officers; ~~providing that the WSSC~~  
10 ~~police force is exempt from certain provisions of law~~; conforming certain  
11 provisions of law relating to law enforcement officers; making certain stylistic  
12 changes; and generally relating to the WSSC police force.

13 BY repealing and reenacting, ~~with~~ without amendments,  
14 Article 27 - Crimes and Punishments  
15 Section 727(b)(8)  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 2001 Supplement)

18 BY adding to  
19 Article 29 - Washington Suburban Sanitary District  
20 Section 18-108  
21 Annotated Code of Maryland  
22 (1997 Replacement Volume and 2001 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article 41 - Governor - Executive and Administrative Departments  
3 Section 4-201(a)(8)(i)12 and 13  
4 Annotated Code of Maryland  
5 (1997 Replacement Volume and 2001 Supplement)

6 BY adding to  
7 Article 41 - Governor - Executive and Administrative Departments  
8 Section 4-201(a)(8)(i)14  
9 Annotated Code of Maryland  
10 (1997 Replacement Volume and 2001 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article - Criminal Procedure  
13 Section 2-101(c)(19) and (20)  
14 Annotated Code of Maryland  
15 (2001 Volume)

16 BY adding to  
17 Article - Criminal Procedure  
18 Section 2-101(c)(21)  
19 Annotated Code of Maryland  
20 (2001 Volume)

21 BY repealing and reenacting, without amendments,  
22 Article - Criminal Procedure  
23 Section 2-202  
24 Annotated Code of Maryland  
25 (2001 Volume)

~~26 BY repealing and reenacting, with amendments,  
27 Article - Labor and Employment  
28 Section 9-503(b)  
29 Annotated Code of Maryland  
30 (1999 Replacement Volume and 2001 Supplement)~~

31 **Preamble**

~~32 WHEREAS, The Washington Suburban Sanitary Commission (WSSC)  
33 currently has "special police officers" assigned to the Security and Safety Services  
34 Group; and~~

~~35 WHEREAS, The special police officers have full police powers on WSSC  
36 property and while in fresh pursuit of criminal suspects; and~~

1 ~~WHEREAS, The special police officers are not part of a police force established~~  
 2 ~~in State law; and~~

3 ~~WHEREAS, Only a police force established under State law is allowed access~~  
 4 ~~to a network of criminal justice and motor vehicle information; and~~

5 ~~WHEREAS, Access to criminal and motor vehicle history will significantly~~  
 6 ~~increase officer safety in the officer's interactions with people resulting from~~  
 7 ~~violations of laws, rules, and regulations; now, therefore,~~

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article 27 - Crimes and Punishments**

11 727.

12 (b) "Law enforcement officer" means any person who, in an official capacity, is  
 13 authorized by law to make arrests and who is a member of one of the following law  
 14 enforcement agencies:

15 (8) The police department, bureau, or force of any bicounty agency;  
 16 ~~EXCEPT THE WASHINGTON SUBURBAN SANITARY COMMISSION;~~

17 **Article 29 - Washington Suburban Sanitary District**

18 18-108.

19 (A) THERE IS A WSSC POLICE FORCE.

20 (B) (1) A WSSC POLICE OFFICER MAY EXERCISE THE POWERS OF A LAW  
 21 ENFORCEMENT OFFICER IN THE STATE ON PROPERTY THAT IS OWNED, LEASED,  
 22 OPERATED BY, OR UNDER THE CONTROL OF THE WSSC.

23 (2) A WSSC POLICE OFFICER MAY NOT EXERCISE LAW ENFORCEMENT  
 24 POWERS ON ANY OTHER PROPERTY UNLESS THE OFFICER IS:

25 (I) ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;

26 (II) REQUESTED OR AUTHORIZED TO DO SO IN A POLITICAL  
 27 SUBDIVISION BY THE CHIEF EXECUTIVE OFFICER OR CHIEF POLICE OFFICER OF THE  
 28 SUBDIVISION;

29 (III) NEEDED FOR THE ORDERLY FLOW OF TRAFFIC TO AND FROM  
 30 PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE WSSC;  
 31 OR

32 (IV) ORDERED TO DO SO BY THE GOVERNOR.

1 (C) (1) IN CONSULTATION WITH THE SUPERINTENDENT OF THE  
 2 DEPARTMENT OF STATE POLICE AND THE MARYLAND POLICE TRAINING  
 3 COMMISSION, THE WSSC SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION,  
 4 INCLUDING STANDARDS FOR CHARACTER, TRAINING, EDUCATION, HUMAN  
 5 RELATIONS, EXPERIENCE, AND JOB PERFORMANCE FOR WSSC POLICE OFFICERS.

6 (2) TO THE EXTENT PRACTICABLE, THE WSSC SHALL ADOPT STANDARDS  
 7 THAT ARE SIMILAR TO THOSE OF THE DEPARTMENT OF STATE POLICE.

8 (3) STANDARDS ADOPTED ON OR AFTER OCTOBER 1, 2002 ON MINIMUM  
 9 HIRING QUALIFICATIONS OF WSSC POLICE OFFICERS DO NOT AFFECT THE STATUS  
 10 OF ANY INDIVIDUAL WHO WAS A QUALIFIED WSSC SPECIAL POLICEMAN ON  
 11 OCTOBER 1, 2002.

12 **Article 41 - Governor - Executive and Administrative Departments**

13 4-201.

14 (a) As used in this section:

15 (8) (i) "Police officer" means a person who has the authority to enforce  
 16 the general criminal laws of this State and is a member of any of the following law  
 17 enforcement units:

18 12. Crofton Police Department; [or]

19 13. Department of Labor, Licensing, and Regulation Police  
 20 Force; OR

21 14. THE WASHINGTON SUBURBAN SANITARY COMMISSION  
 22 POLICE FORCE.

23 **Article - Criminal Procedure**

24 2-101.

25 (c) "Police officer" means a person who in an official capacity is authorized by  
 26 law to make arrests and is:

27 (19) a member of the State Forest and Park Service Police Force of the  
 28 Department of Natural Resources; [or]

29 (20) a member of the Department of Labor, Licensing, and Regulation  
 30 Police Force; OR

31 (21) A MEMBER OF THE WASHINGTON SUBURBAN SANITARY  
 32 COMMISSION POLICE FORCE.

1 2-202.

2 (a) A police officer may arrest without a warrant a person who commits or  
3 attempts to commit a felony or misdemeanor in the presence or within the view of the  
4 police officer.

5 (b) A police officer who has probable cause to believe that a felony or  
6 misdemeanor is being committed in the presence or within the view of the police  
7 officer may arrest without a warrant any person whom the police officer reasonably  
8 believes to have committed the crime.

9 (c) A police officer without a warrant may arrest a person if the police officer  
10 has probable cause to believe that a felony has been committed or attempted and the  
11 person has committed or attempted to commit the felony whether or not in the  
12 presence or within the view of the police officer.

13 **Article—Labor and Employment**

14 ~~9-503.~~

15 ~~(b) (1) THIS SUBSECTION DOES NOT APPLY TO THE WASHINGTON~~  
16 ~~SUBURBAN SANITARY COMMISSION POLICE FORCE.~~

17 (2) A paid police officer employed by an airport authority, a county, the  
18 Maryland National Capital Park and Planning Commission, a municipality, or the  
19 State, a deputy sheriff of Montgomery County, or, subject to paragraph ~~[(2)] (3)~~ of this  
20 subsection, a Prince George's County deputy sheriff or Prince George's County  
21 correctional officer is presumed to be suffering from an occupational disease that was  
22 suffered in the line of duty and is compensable under this title if:

23 (i) the police officer, deputy sheriff, or correctional officer is  
24 suffering from heart disease or hypertension; and

25 (ii) the heart disease or hypertension results in partial or total  
26 disability or death.

27 ~~[(2)] (3) (i) A Prince George's County deputy sheriff or Prince George's~~  
28 ~~County correctional officer is entitled to the presumption under this subsection only~~  
29 ~~to the extent that the individual suffers from heart disease or hypertension that is~~  
30 ~~more severe than the individual's heart disease or hypertension condition existing~~  
31 ~~prior to the individual's employment as a Prince George's County deputy sheriff or~~  
32 ~~Prince George's County correctional officer.~~

33 (ii) To be eligible for the presumption under this subsection, a  
34 Prince George's County deputy sheriff or Prince George's County correctional officer,  
35 as a condition of employment, shall submit to a medical examination to determine  
36 any heart disease or hypertension condition existing prior to the individual's  
37 employment as a Prince George's County deputy sheriff or Prince George's County  
38 correctional officer.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2002.