

# HOUSE BILL 1227

E2, R7

4lr2043

---

By: **Delegates Parrott, Dwyer, Glass, McDonough, Otto, and Serafini**

Introduced and read first time: February 7, 2014

Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Procedures – Traffic Stops and Safety Checkpoints**

3 FOR the purpose of requiring a law enforcement officer to provide or recite a certain  
4 statement of rights to an individual detained at a traffic stop before the law  
5 enforcement officer searches the individual or the property or vehicle of the  
6 individual; prohibiting a law enforcement officer from posting or displaying a  
7 certain deceptive, false, or misleading sign on a highway; defining certain  
8 terms; and generally relating to law enforcement procedures, traffic stops, and  
9 safety checkpoints.

10 BY adding to

11 Article – Criminal Procedure

12 Section 2–501 to be under the new subtitle “Subtitle 5. Traffic Stops”

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2013 Supplement)

15 BY adding to

16 Article – Transportation

17 Section 25–114

18 Annotated Code of Maryland

19 (2012 Replacement Volume and 2013 Supplement)

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

22 **Article – Criminal Procedure**

23 **SUBTITLE 5. TRAFFIC STOPS.**

24 **2–501.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
2 **MEANINGS INDICATED.**

3                   **(2) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN**  
4 **§ 3-101 OF THE PUBLIC SAFETY ARTICLE.**

5                   **(3) “TRAFFIC STOP” MEANS ANY INSTANCE WHEN A LAW**  
6 **ENFORCEMENT OFFICER STOPS THE DRIVER OF A MOTOR VEHICLE AND**  
7 **DETAINS THE DRIVER FOR ANY PERIOD OF TIME FOR A VIOLATION OF THE**  
8 **MARYLAND VEHICLE LAW.**

9           **(B) IF A STATE OR LOCAL LAW ENFORCEMENT OFFICER DETAINS AN**  
10 **INDIVIDUAL AT A TRAFFIC STOP, BEFORE THE LAW ENFORCEMENT OFFICER**  
11 **SEARCHES THE INDIVIDUAL OR THE PROPERTY OR VEHICLE OF THE**  
12 **INDIVIDUAL, THE LAW ENFORCEMENT OFFICER SHALL PROVIDE OR RECITE A**  
13 **STATEMENT OF THE INDIVIDUAL’S RIGHTS TO THE INDIVIDUAL.**

14                                   **Article – Transportation**

15 **25-114.**

16           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
17 **MEANINGS INDICATED.**

18                   **(2) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN**  
19 **§ 3-101 OF THE PUBLIC SAFETY ARTICLE.**

20                   **(3) “SAFETY CHECKPOINT” MEANS A PREDETERMINED FIXED**  
21 **LOCATION AT WHICH A POLICE OFFICER STOPS A MOTOR VEHICLE OR A**  
22 **SPECIFIC SEQUENCE OF MOTOR VEHICLES TO CONDUCT SAFETY INSPECTIONS,**  
23 **CHECK DRIVERS’ LICENSES AND REGISTRATIONS, AND EVALUATE DRIVERS FOR**  
24 **IMPAIRMENT.**

25           **(B) A LAW ENFORCEMENT OFFICER MAY NOT POST OR DISPLAY A**  
26 **DECEPTIVE, MATERIALLY FALSE, OR MISLEADING SIGN CONCERNING A SAFETY**  
27 **CHECKPOINT ON A HIGHWAY.**

28           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
29 **October 1, 2014.**