

# HOUSE BILL 917

R6  
HB 666/14 – ENV

5lr2541  
CF SB 716

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By: **Delegates Kramer, Anderton, Barkley, Beidle, Beitzel, Bromwell, Carey, Cassilly, Cullison, Fisher, Fraser-Hidalgo, Frush, Glass, Glenn, Grammer, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Lafferty, Mautz, McConkey, O'Donnell, Oaks, Pena-Melnyk, Reilly, B. Robinson, S. Robinson, Szeliga, Valderrama, Vitale, and B. Wilson**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles**

3 FOR the purpose of prohibiting a police officer at a motor vehicle checkpoint from targeting  
4 only motorcycles for inspection or evaluation; creating a certain exception to the  
5 prohibition for a police officer at a motor vehicle checkpoint established as part of a  
6 police search or investigation; providing for the construction of a certain provision of  
7 law governing obedience to a lawful order or direction of a police officer; defining a  
8 certain term; and generally relating to inspections or evaluations at motor vehicle  
9 checkpoints.

10 BY repealing and reenacting, with amendments,  
11 Article – Transportation  
12 Section 21–103  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2014 Supplement)

15 BY adding to  
16 Article – Transportation  
17 Section 25–114  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2014 Supplement)

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

22 **Article – Transportation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-103.

2 (a) (1) A person may not willfully disobey any lawful order or direction of any  
3 police officer.

4 (2) THIS SUBSECTION MAY NOT BE CONSTRUED TO AUTHORIZE A  
5 POLICE OFFICER AT A MOTOR VEHICLE CHECKPOINT, AS DEFINED IN § 25-114 OF  
6 THIS ARTICLE, TO TARGET ONLY MOTORCYCLES FOR INSPECTION OR EVALUATION,  
7 EXCEPT AS APPROPRIATE AT A POLICE CHECKPOINT ESTABLISHED AS PART OF A  
8 POLICE SEARCH OR INVESTIGATION.

9 (b) (1) A police officer may summon witnesses to testify under oath on any  
10 charge brought under the Maryland Vehicle Law.

11 (2) A person may not willfully disobey a summons.

12 25-114.

13 (A) IN THIS SECTION, "CHECKPOINT" MEANS A PREDETERMINED FIXED  
14 LOCATION AT WHICH A POLICE OFFICER STOPS A MOTOR VEHICLE OR A SPECIFIC  
15 SEQUENCE OF MOTOR VEHICLES TO CONDUCT SAFETY INSPECTIONS, INSPECT  
16 DRIVERS' LICENSES OR REGISTRATIONS, OR EVALUATE DRIVERS FOR IMPAIRMENT.

17 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A POLICE  
18 OFFICER AT A MOTOR VEHICLE CHECKPOINT MAY NOT TARGET ONLY MOTORCYCLES  
19 FOR INSPECTION OR EVALUATION.

20 (C) A POLICE OFFICER AT A MOTOR VEHICLE CHECKPOINT ESTABLISHED AS  
21 PART OF A POLICE SEARCH OR INVESTIGATION MAY TARGET MOTORCYCLES AS  
22 APPROPRIATE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2015.