

Chapter 323

(Senate Bill 86)

AN ACT concerning

Public Safety – Hit and Run Suspects – Yellow Alert Program

FOR the purpose of requiring the Department of State Police to establish a Yellow Alert Program to provide a system for rapid dissemination of certain information to assist in locating and apprehending certain missing persons suspected of failing to remain at the scene of a vehicle accident under certain circumstances; requiring the Department to adopt certain guidelines and develop certain procedures for issuing a Yellow Alert, provide certain training and assistance to local law enforcement agencies, recruit certain broadcasters, local volunteer groups, and other members of the public to assist in developing and implementing a Yellow Alert, and consult with the State Highway Administration to establish a certain plan; requiring certain law enforcement officers or agencies to provide certain notification under certain circumstances; defining certain terms; and generally relating to the establishment of a Yellow Alert Program.

BY adding to

Article – Public Safety
Section 3–606
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 27–113
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

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

Article – Public Safety

3–606.

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

(2) “LAW ENFORCEMENT AGENCY” MEANS A STATE, COUNTY, OR MUNICIPAL POLICE DEPARTMENT OR AGENCY, OR A SHERIFF’S DEPARTMENT.

(3) “MISSING SUSPECT” MEANS AN INDIVIDUAL:

(I) WHOSE WHEREABOUTS ARE UNKNOWN;

(II) WHO IS SUSPECTED OF VIOLATING § 27-113 OF THE TRANSPORTATION ARTICLE; AND

(III) WHOSE VEHICLE THE REPORTING LAW ENFORCEMENT AGENCY IS ABLE TO DESCRIBE, INCLUDING ANY INFORMATION ABOUT THE VEHICLE’S REGISTRATION PLATE.

(B) (1) THE DEPARTMENT OF STATE POLICE SHALL ESTABLISH A YELLOW ALERT PROGRAM TO PROVIDE A SYSTEM FOR RAPID DISSEMINATION OF INFORMATION TO ASSIST IN LOCATING AND APPREHENDING A MISSING SUSPECT.

(2) THE DEPARTMENT OF STATE POLICE SHALL:

(I) ADOPT GUIDELINES AND DEVELOP PROCEDURES FOR ISSUING A YELLOW ALERT FOR A MISSING SUSPECT;

(II) PROVIDE TRAINING TO LOCAL LAW ENFORCEMENT AGENCIES ON THE GUIDELINES AND PROCEDURES TO BE USED TO MAKE AND HANDLE A REPORT OF A MISSING SUSPECT;

(III) PROVIDE ASSISTANCE TO A LOCAL LAW ENFORCEMENT AGENCY, AS NECESSARY, TO ASSIST IN THE LOCATION AND APPREHENSION OF A MISSING SUSPECT;

(IV) RECRUIT PUBLIC AND COMMERCIAL TELEVISION AND RADIO BROADCASTERS, LOCAL VOLUNTEER GROUPS, AND OTHER MEMBERS OF THE PUBLIC TO ASSIST IN DEVELOPING AND IMPLEMENTING A YELLOW ALERT; AND

(V) CONSULT WITH THE STATE HIGHWAY ADMINISTRATION TO ESTABLISH A PLAN FOR PROVIDING INFORMATION RELATING TO A YELLOW ALERT TO THE PUBLIC THROUGH THE DYNAMIC MESSAGE SIGN SYSTEM LOCATED ACROSS THE STATE.

(C) A LAW ENFORCEMENT OFFICER OR AGENCY THAT APPREHENDS A MISSING SUSPECT WHO IS THE SUBJECT OF A YELLOW ALERT IMMEDIATELY SHALL NOTIFY THE DEPARTMENT OF STATE POLICE AND THE LAW ENFORCEMENT AGENCY THAT FILED THE REPORT RESULTING IN THE YELLOW ALERT THAT THE MISSING SUSPECT HAS BEEN APPREHENDED.

Article – Transportation

27–113.

(a) In this section, “serious bodily injury” means an injury that:

(1) Creates a substantial risk of death;

(2) Causes serious permanent or serious protracted disfigurement;

(3) Causes serious permanent or serious protracted loss of the function of any body part, organ, or mental faculty; or

(4) Causes serious permanent or serious protracted impairment of the function of any bodily member or organ.

(b) A person who violates § 20–102 of this article (“Driver to remain at scene — Accident resulting in bodily injury or death”) and who knew or reasonably should have known that the accident might result in serious bodily injury to another person and serious bodily injury actually occurred to another person, is guilty of a felony and on conviction is subject to imprisonment for not more than 5 years or a fine of not more than \$5,000 or both.

(c) A person who violates § 20–102 of this article (“Driver to remain at scene — Accident resulting in bodily injury or death”) and who knew or reasonably should have known that the accident might result in the death of another person and death actually occurred to another person, is guilty of a felony and on conviction is subject to imprisonment for not more than 10 years or a fine of not more than \$10,000 or both.

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

Approved by the Governor, May 12, 2015.