

Chapter 542

(Senate Bill 233)

AN ACT concerning

Public Safety – Motorcycle Profiling – Training

FOR the purpose of requiring the Police Training Commission to require a certain statement condemning motorcycle profiling to be included in certain written policies; requiring the Commission to include in certain curriculum and courses of study training on motorcycle profiling; defining a certain term; and generally relating to requiring certain training on motorcycle profiling.

BY renumbering

Article – Public Safety
Section 3–201(e) and (f), respectively
to be Section 3–201(f) and (g), respectively
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 3–201(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Public Safety
Section 3–201(e) and 3–207(18)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 3–207(17) and (18)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 3–201(e) and (f), respectively, of Article – Public Safety of the Annotated Code of Maryland be renumbered to be Section(s) 3–201(f) and (g), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety

3-201.

(a) In this subtitle the following words have the meanings indicated.

(E) “MOTORCYCLE PROFILING” MEANS THE ARBITRARY USE OF THE FACT THAT AN INDIVIDUAL RIDES A MOTORCYCLE OR WEARS MOTORCYCLE-RELATED CLOTHING OR PARAPHERNALIA AS A FACTOR IN DECIDING TO STOP, QUESTION, TAKE ENFORCEMENT ACTION, ARREST, OR SEARCH THE INDIVIDUAL OR VEHICLE.

3-207.

Subject to the authority of the Secretary, the Commission has the following powers and duties:

(17) to develop, with the cooperation of the Office of the Attorney General, the Governor’s Office of Crime Control and Prevention, and the Federal Trade Commission, a uniform identity fraud reporting form that:

(i) makes transmitted data available on or before October 1, 2011, for use by each law enforcement agency of State and local government; and

(ii) may authorize the data to be transmitted to the Consumer Sentinel program in the Federal Trade Commission; [and]

(18) TO REQUIRE:

(I) A STATEMENT CONDEMNING MOTORCYCLE PROFILING TO BE INCLUDED IN EXISTING WRITTEN POLICIES REGARDING OTHER PROFILING; AND

(II) FOR ENTRANCE-LEVEL POLICE TRAINING AND FOR IN-SERVICE LEVEL TRAINING CONDUCTED BY THE STATE AND EACH COUNTY AND MUNICIPAL POLICE TRAINING SCHOOL, THAT THE CURRICULUM AND MINIMUM COURSES OF STUDY INCLUDE, CONSISTENT WITH ESTABLISHED LAW ENFORCEMENT STANDARDS AND FEDERAL AND STATE CONSTITUTIONAL PROVISIONS, TRAINING RELATED TO MOTORCYCLE PROFILING IN CONJUNCTION WITH EXISTING TRAINING REGARDING OTHER PROFILING; AND

[(18)] **(19)** to perform any other act that is necessary or appropriate to carry out the powers and duties of the Commission under this subtitle.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, May 19, 2016.