

Article - Transportation

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§4–208.

(a) (1) There is a Maryland Transportation Authority Police Force.

(2) Subject to subsection (b) of this section, a Maryland Transportation Authority police officer has all the powers granted to a peace officer and a police officer of this State.

(b) (1) A Maryland Transportation Authority police officer may exercise the powers described in subsection (a)(2) of this section on property owned, leased, or operated by or under the control of the Maryland Transportation Authority, Maryland Aviation Administration, and Maryland Port Administration.

(2) (i) This paragraph does not apply to a highway as defined in § 8-101 of this article or other public property or waterway open for public conveyance.

(ii) For purposes of establishing perimeter security subject to the requirements of paragraph (3) of this subsection, a Maryland Transportation Authority police officer may exercise the powers described in subsection (a)(2) of this section:

1. Within 500 feet of property described in paragraph (1) of this subsection; and

2. On or within 500 feet of any other property owned, leased, operated by, or under the control of the Department.

(3) A Maryland Transportation Authority police officer may exercise the powers described in paragraph (2) of this subsection, if:

(i) The Chairman of the Maryland Transportation Authority, with the approval of the Governor, determines on the basis of specific and articulable facts that the exercise of the powers is reasonable to protect against actual or threatened physical injury or damage to State employees or State property or assets and provides notice of the exercise of the powers to the:

1. Chief of police, if any, or the chief's designee, in a municipal corporation;

2. Chief of police or the chief's designee in a county with a county police department;

3. Sheriff or the sheriff's designee in a county without a police department;

4. Police Commissioner or the Police Commissioner's designee

in Baltimore City;

5. Secretary of Natural Resources or the Secretary's designee on any property owned, leased, operated by, or under the control of the Department of Natural Resources;

6. Secretary of State Police or the Secretary's designee; or

7. Secretary of a principal department that maintains a police force or the secretary's designee if the department would be affected by the actions of the Maryland Transportation Authority Police Force of this subsection; or

(ii) Ordered to do so by the Governor pursuant to a proclamation or declaration by the Governor of a state of emergency under Title 14 of the Public Safety Article.

(4) The police officer may not exercise these powers on any other property unless:

(i) Engaged in fresh pursuit of a suspected offender;

(ii) Specially requested or permitted to do so in a political subdivision by its chief executive officer or its chief police officer; or

(iii) Ordered to do so by the Governor.

(5) Nothing in this subsection shall be construed to preclude, or limit in any way, the authority of any federal, State, or local law enforcement agency, or any other federal police or federal protective service.

(c) (1) In consultation with the Secretary of State Police and the Maryland Police Training Commission, the Secretary of Transportation shall adopt standards, qualifications, and prerequisites of character, training, education, human and public relations, and experience for Maryland Transportation Authority police officers, including standards for the performance of their duties.

(2) To the extent practicable, the Secretary of Transportation shall adopt standards that are similar to the standards adopted for the Department of State Police.

(3) Standards adopted on or after July 1, 1974, on minimum hiring qualifications of Maryland Transportation Authority police officers may not affect the status of any individual who was a qualified toll facilities police officer on that date.

(d) The Authority shall adopt rules and regulations governing the operation and conduct of the Maryland Transportation Authority Police Force and of Maryland Transportation Authority police officers. These rules and regulations shall be consistent with the standards established by the Secretary.

(e) The Maryland Transportation Authority Police Force shall provide police services to the Authority, to the Maryland Aviation Administration, and to the Maryland Port Administration.

(f) (1) Any person who was a member in good standing, as of July 1, 1977, of the Maryland Aviation Administration Police Force of the Department and subsequently an airport police employee of the State Police, shall become a member of the Maryland Transportation Authority Police Force, and shall continue as such without diminution in salary, except for shift differential, until retirement, resignation, or termination, and shall be paid in accordance with the Maryland Transportation Authority Police Force pay plan.

(2) Each employee described in paragraph (1) of this subsection shall remain a member of the Baltimore City fire and police employees retirement system. The Authority shall reimburse the City for the employer's cost of the pension coverage.

(g) (1) Any person who is a member in good standing, as of July 1, 1998, of the Maryland Port Administration Police Force of the Department shall become a member of the Maryland Transportation Authority Police Force and shall continue as such without diminution in salary until retirement, resignation, or termination of employment, and shall be paid in accordance with the Maryland Transportation Authority Police Force plan.

(2) Each employee described in paragraph (1) of this subsection may elect to join the Law Enforcement Officers' Pension System under the provision of Title 26 of the State Personnel and Pensions Article.

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