

WRITTEN TESTIMONY of Edward J. Coyne, Deputy State's Attorney for Carroll County, IN SUPPORT OF SB 498 / HB 1529

The Fourth Amendment to the United States Constitution and case law from the U.S. Supreme Court spell out that search warrants are the preferred method of obtaining evidence. Consent is one of the widely accepted alternatives to the preference for search warrants.

Transportation Article §16-205.1 covers the implied consent law for obtaining evidence in drunk and drugged driving cases. Even though consent is a permissible alternative to a search warrant, it should not be a limitation on law enforcement that prohibits law enforcement from obtaining a search warrant from a neutral judge in drunk or drugged driving cases.

This bill would help clarify and put to rest any confusion that the implied consent law could limit the ability of law enforcement to obtain a search warrant from a Judge to get evidence from a suspected drunk or drugged driver.

The Carroll County State's Attorney's Office joins the Maryland State's Attorneys' Association in requesting that this committee give SB 498 / HB 1529 a favorable review.