

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Public Safety and Correctional Services
(DLS Control No. 14-210)**

Overview and Legal and Fiscal Impact

This regulation alters training requirements for police officer recertification for an applicant who was previously certified in Maryland as a police officer by the Police Training Commission and was last certified as a police officer within three years with a law enforcement agency in another state or the federal government.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Public Safety and Correctional Services:

Police Training Commission: General Regulations: COMAR 12.04.01.07

Legal Analysis

Summary of Regulation

The regulation requires an officer seeking to be recertified three years or less since the applicant was last certified as a police officer with a law enforcement agency in another state or the federal government to meet specified entry-level law, emergency medical care, motor vehicle and alcohol, and firearms related training. The regulation also clarifies that the process for recertification of an officer that is more than three years removed is determined from the date of the last certification rather than the date of separation from the prior agency.

Legal Issue

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The Department of Public Safety and Correctional Services cites § 3-208(a) of the Public Safety Article and § 2-109 of the Correctional Services Article as legal authority for the regulation. Specifically, § 3-208(a) gives the commission the power and duty to adopt regulations necessary or appropriate to carry out the Police Training Commission subtitle, and § 3-207(a) confers the authority provides the commission with enumerated powers relevant to

the approval of standards for police training schools and instructors, while § 3-209 generally requires the commission to certify police officers that meet the commission's standards. This authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The Department of Public Safety and Correctional Services advises that the regulatory changes have no fiscal impact. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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