

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Public Safety and Correctional Services
(DLS Control No. 15-010)**

Overview and Legal and Fiscal Impact

These regulations require training on lifesaving techniques, including cardiopulmonary resuscitation (CPR), to be part of entrance-level training and, by December 31, 2016, part of in-service training for police officers. The regulations also authorize the Police Training Commission to approve on-line instruction for police officers who are in annual in-service training.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Public Safety and Correctional Services:

Police Training Commission: General Regulations: COMAR 12.04.01.09

General Regulations: COMAR 12.04.01.12

Legal Analysis

Summary of Regulations

Chapter 221 of 2014 requires the commission to make the curriculum and minimum courses of study for entrance-level and in-service police training include lifesaving techniques, including CPR. The regulations track the CPR requirement contained in the Act.

The regulations also expressly authorize the commission to allow independent electronic (online) instruction for annual in-service training without an instructor present.

Legal Issue

The regulations present no legal issue of concern.

Statutory Authority and Legislative Intent

The Department of Public Safety and Correctional Services cites § 2-109 of the Correctional Services Article and § 3-208 of the Public Safety Article as authority for the regulation. Specifically, § 2-109 of the Correctional Services Article requires the Secretary of

the Department of Public Safety and Correctional Services to adopt regulations for the office of the Secretary, and § 3-208(a) of the Public Safety Article authorizes the commission to adopt regulations necessary or appropriate to carry out the Police Training Commission subtitle. Reference could also be made to § 3-207(16)(i) of the Public Safety Article, which requires the commission to require, for entrance-level police training and in-service level training, training in CPR. With the addition of this provision, the cited 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 advises that the regulations have minimal or no impact on State or local governments. The Department of Legislative Services concurs, as the bill implements Chapter 221 of 2014 (House Bill 294). The fiscal and policy note for that legislation indicated that any law enforcement agencies that do not already incorporate lifesaving techniques, including CPR, in their entrance-level and annual in-service training could likely do so at minimal cost. The regulations further mitigate any such cost by allowing CPR to be substituted for other training required as part of the in-service training requirement and only require that it be taken every two years, rather than annually.

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 regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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