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**By: Delegate T. Murphy**

Introduced and read first time: January 29, 1996

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

**2 Department of State Police - Enforcement of Motor Vehicle Laws in Baltimore City**

3 FOR the purpose of expanding the authority of the Department of State Police to enforce  
4 the motor vehicle laws of this State in Baltimore City under certain circumstances;  
5 making technical changes; and generally relating to the powers of the Department  
6 of State Police.

7 BY repealing and reenacting, with amendments,  
8 Article 88B - Department of State Police  
9 Section 4(b), (c), and (e)  
10 Annotated Code of Maryland  
11 (1995 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 88B - Department of State Police**

15 4.

16 (b) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE  
17 Secretary, the deputy secretary, and employees designated by the Secretary as police  
18 employees shall have throughout the State the same powers, privileges, immunities, and  
19 defenses as sheriffs, constables, police officers, and other peace officers possessed at  
20 common law and may now or hereafter exercise within their respective jurisdictions. Any  
21 warrant of arrest may be executed by a police employee in any part of the State without  
22 further endorsement.

23 (c) Police employees shall not act within the limits of any incorporated  
24 municipality which maintains a police force except: (1) when in pursuit of an offender or

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1 suspected offender; (2) when in search of an offender or suspected offender wanted for a  
2 crime committed outside of the limits of the municipality, or when interviewing or seeking  
3 to interview a witness or supposed witness to such a crime; (3) when a crime is committed  
4 in the presence of the police employee, the arrested party shall be immediately  
5 transferred to the custody of the local law enforcement agency; (4) when requested to act  
6 by the chief executive officer or the chief police officer of the municipality; (5) when  
7 ordered by the Governor to act within the municipality; (6) ~~except in Baltimore City,~~  
8 when enforcing the motor vehicle laws of this State. IN BALTIMORE CITY, POLICE  
9 EMPLOYEES MAY ENFORCE THE MOTOR VEHICLE LAWS OF THE STATE WHEN  
10 REQUESTED TO ENFORCE THOSE LAWS BY THE MAYOR OR CHIEF OF POLICE OF  
11 BALTIMORE CITY; (7) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS  
12 SUBSECTION. ~~in Baltimore City, only when enforcing Title 23 (Vehicle Laws -~~  
13 ~~Inspection of Used Vehicles and Warnings for Defective Equipment) of the~~  
14 ~~Transportation Article;~~ (8) ~~in any building or place when ordered by the President of~~  
15 ~~the Senate and the Speaker of the House of Delegates, or either of them, to guard the~~  
16 ~~safety of legislators or the integrity of the legislative process;~~ ~~(9)~~ ~~(8)~~ to protect the  
17 safety of an elected State official; ~~(10)~~ ~~(9)~~ in the municipalities of Somerset County;  
18 or ~~(11)~~ ~~(10)~~ (i) 1. when participating in a joint investigation with officials from any  
19 other State, federal, or local law enforcement agency at least one of which shall have local  
20 jurisdiction; 2. when rendering assistance to a police officer; 3. when acting at the request  
21 of a local police officer; or 4. when an emergency exists; and (ii) when acting in  
22 accordance with regulations adopted by the Secretary to implement this paragraph.

23 (e) The term "incorporated municipality" as used in subsection [(b)](C) of this  
24 section shall mean the territory within the limits of an incorporated city or town within  
25 any county of this State or of Baltimore City. However, this term shall not be construed to  
26 include any other territory within the limits of any county.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 1996.