
By: Delegates C. Mitchell, Branch, and Fulton
Introduced and read first time: February 16, 1996
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Mass Transit Administration Police Force Privatization Pilot Program**

3 FOR the purpose of establishing the Mass Transit Administration Police Force
4 Privatization Pilot Program under which the Mass Transit Administration is
5 required to transfer all functions of the Mass Transit Administration police force to
6 one or more private contractors by a certain date; requiring the Administrator of
7 the Administration to provide for a certain reimbursement of a private contractor
8 under certain circumstances; requiring a private contractor to offer employment to
9 certain members of the police force under certain circumstances and with certain
10 provisions; requiring a request for proposals by private contractors to transfer police
11 functions to contain certain information; requiring the Administrator to make an
12 annual report on privatization of police functions containing certain information;
13 requiring the Administrator to adopt certain regulations; requiring the
14 Administrator to make recommendations for statutory changes to the General
15 Assembly by a certain date; providing for the effective date of this Act; providing for
16 the termination of this Act; and generally relating to the privatization of functions
17 of the Mass Transit Administration police force.

18 BY adding to

19 Article - Transportation
20 Section 7-207.1
21 Annotated Code of Maryland
22 (1993 Replacement Volume and 1995 Supplement)

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

25 **Article - Transportation**

26 7-207.1.

27 (A) NOTWITHSTANDING § 12-405 OF THE STATE PERSONNEL AND PENSIONS
28 ARTICLE, THERE IS A MASS TRANSIT ADMINISTRATION POLICE FORCE
29 PRIVATIZATION PILOT PROGRAM IN THE ADMINISTRATION.

30 (B) THE PURPOSE OF THE PILOT PROGRAM IS TO REQUIRE THE
31 ADMINISTRATOR TO ENTER INTO CONTRACTS WITH PRIVATE COMPANIES TO

2

1 PRIVATIZE ALL FUNCTIONS OF THE MASS TRANSIT ADMINISTRATION POLICE
2 FORCE.

3 (C) THE ADMINISTRATOR SHALL:

4 (1) PROVIDE FOR THE TRANSFER OF ALL FUNCTIONS OF THE MASS
5 TRANSIT ADMINISTRATION POLICE FORCE TO ONE OR MORE PRIVATE
6 CONTRACTORS BY JULY 1, 1997;

7 (2) PROVIDE FOR THE REIMBURSEMENT OF A PRIVATE CONTRACTOR
8 PROVIDING SERVICES OF THE MASS TRANSIT ADMINISTRATION POLICE FORCE
9 FROM THE FUNDS THAT WOULD OTHERWISE BE BUDGETED FOR THE MASS TRANSIT
10 ADMINISTRATION POLICE FORCE;

11 (3) PROHIBIT THE COST OF FUNCTIONS OF THE MASS TRANSIT
12 ADMINISTRATION POLICE FORCE AS PERFORMED BY ONE OR MORE PRIVATE
13 CONTRACTORS FROM EXCEEDING THE FISCAL YEAR 1996 COST OF THE FUNCTIONS
14 AS PERFORMED BY THE MASS TRANSIT ADMINISTRATION POLICE FORCE; AND

15 (4) REQUIRE A PRIVATE CONTRACTOR TO OFFER EMPLOYMENT ON
16 TERMS CONSIDERED BY THE ADMINISTRATOR TO BE FAIR AND EQUITABLE TO ANY
17 EMPLOYEES WHO ARE AFFECTED BY THE TRANSFER OF POLICE FUNCTIONS UNDER
18 THIS SECTION AND TO RETAIN ANY EMPLOYEES WHO ACCEPT THE OFFER:

19 (I) FOR AT LEAST 2 YEARS, UNLESS THERE IS CAUSE FOR
20 DISMISSAL; AND

21 (II) AT A BENEFIT LEVEL COMPARABLE TO THE CONTRACTOR'S
22 OTHER SIMILARLY SITUATED EMPLOYEES.

23 (D) A REQUEST FOR PROPOSALS TO TRANSFER FUNCTIONS OF THE MASS
24 TRANSIT ADMINISTRATION POLICE FORCE TO A PRIVATE CONTRACTOR UNDER
25 THIS SECTION SHALL:

26 (1) COMPLY WITH THE PROVISIONS OF DIVISION II OF THE STATE
27 FINANCE AND PROCUREMENT ARTICLE; AND

28 (2) SET FORTH THE GOALS OF THE PRIVATIZATION.

29 (E) (1) ON OR BEFORE OCTOBER 1, 1997 AND ANNUALLY THEREAFTER, THE
30 ADMINISTRATOR SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF
31 THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE OPERATION
32 AND PERFORMANCE OF THE PILOT PROGRAM.

33 (2) THE ADMINISTRATOR SHALL INCLUDE IN THE REPORT:

34 (I) AN ASSESSMENT OF THE PILOT PROGRAM FOR ITS COST
35 EFFECTIVENESS IN THE PROVISION OF POLICE FUNCTIONS IN ADMINISTRATION
36 FACILITIES; AND

37 (II) PLANS FOR IMPROVING THE EFFECTIVENESS AND SUCCESS OF
38 THE PILOT PROGRAM IN ACHIEVING ITS OBJECTIVES.

3

1 (F) THE SECRETARY SHALL ADOPT ANY REGULATIONS NECESSARY TO
2 CARRY OUT THE PROVISIONS OF THIS SECTION.

3 SECTION 2. AND BE IT FURTHER ENACTED, That by January 1, 1997, the
4 Administrator of the Mass Transit Administration shall recommend to the General
5 Assembly any statutory changes necessary to carry out the transfer of Mass Transit
6 Administration police force functions to private contractors.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 1996. It shall remain effective for a period of 4 years and, at the end of June 30,
9 2000, and with no further action required by the General Assembly, this Act shall be
10 abrogated and of no further force and effect.