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**By: Delegate Hutchins**

Introduced and read first time: February 22, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Railroad Police Powers - Investigations**

3 FOR the purpose of providing that Maryland railroad police shall have all powers granted  
4 a peace or police officer when conducting an investigation; and generally relating to  
5 railroad police powers.

6 BY repealing and reenacting, with amendments,  
7 Article 23 - Miscellaneous Companies  
8 Section 260  
9 Annotated Code of Maryland  
10 (1994 Replacement Volume and 1995 Supplement)

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

13 **Article 23 - Miscellaneous Companies**

14 260.

15 (a) Members of the Maryland railroad police shall have all the powers granted a  
16 peace or police officer.

17 (b) A Maryland railroad police officer may not exercise the powers granted in  
18 subsection (a) of this section unless the officer:

19 (1) Is on real or personal property owned, leased, operated, or controlled by  
20 an employing railroad, hereinafter referred to as railroad property;

21 (2) Is engaged in fresh pursuit of a suspected offender;

22 (3) IS CONDUCTING AN INVESTIGATION, IN WHICH EVENT A  
23 MARYLAND RAILROAD POLICE OFFICER SHALL HAVE ALL POWERS AND  
24 AUTHORITY OF ANY MUNICIPAL OR COUNTY POLICE OFFICER IN CARRYING OUT  
25 THE DUTIES AND RESPONSIBILITIES OF THE OFFICER, PROVIDED ANY SUCH  
26 MARYLAND RAILROAD POLICE OFFICER IS OPERATING UNDER A VALID LICENSE  
27 ISSUED BY THE MARYLAND STATE POLICE WHICH IS IN FULL FORCE AND EFFECT AT  
28 THAT TIME;

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1                    [(3)] (4) Is requested or authorized to act by the executive officer or chief  
2 police officer of any county or Baltimore City; or

3                    [(4)] (5) Is ordered to act by the Governor.

4                    (c) A railroad employing a Maryland railroad police officer is liable for any  
5 wrongful actions or abuse of power by the officer.

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