
By: Delegates Ports, Redmer, M. Burns, Jacobs, Schade, O'Donnell, Rzepkowski, and Klausmeier

Introduced and read first time: February 21, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Enticement of Minors into Motor Vehicles**

3 FOR the purpose of prohibiting a person from using certain means to induce a minor
4 under a certain age into a motor vehicle to accompany the person; providing certain
5 exceptions; providing certain affirmative defenses; providing certain penalties; and
6 generally relating to enticing or inducing minors into motor vehicles.

7 BY adding to

8 Article 27 - Crimes and Punishments
9 Section 2A
10 Annotated Code of Maryland
11 (1996 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 27 - Crimes and Punishments**

15 2A.

16 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON
17 MAY NOT BY ANY MEANS ORDER, SOLICIT, COAX, ENTICE, OR LURE ANY MINOR
18 UNDER THE AGE OF 14 YEARS INTO A MOTOR VEHICLE TO ACCOMPANY THE
19 PERSON OR ATTEMPT TO ORDER, SOLICIT, COAX, ENTICE, OR LURE ANY MINOR
20 UNDER THE AGE OF 14 YEARS INTO A MOTOR VEHICLE TO ACCOMPANY THE
21 PERSON, REGARDLESS OF WHETHER OR NOT THE PERSON KNOWS THE AGE OF THE
22 MINOR.

23 (B) THIS SECTION DOES NOT APPLY TO:

24 (1) ANY PERSON WHO HAS THE EXPRESS PERMISSION OF THE PARENT,
25 GUARDIAN, OR OTHER LEGAL CUSTODIAN OF THE MINOR IN UNDERTAKING THE
26 ACTIVITY; OR

27 (2) A LAW ENFORCEMENT OFFICER, MEDIC, FIREFIGHTER, OR OTHER
28 PERSON WHO REGULARLY PROVIDES EMERGENCY SERVICES WHO AT THE TIME OF

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1 THE ACTIVITY IS ACTING WITHIN THE SCOPE OF LAWFUL DUTIES FOR THAT
2 CAPACITY.

3 (C) THE FOLLOWING SHALL BE AFFIRMATIVE DEFENSES TO A CHARGE
4 UNDER THIS SECTION THAT THE PERSON SHALL PROVE BY A PREPONDERANCE OF
5 THE EVIDENCE:

6 (1) THE ACTIVITY WAS UNDERTAKEN IN RESPONSE TO A BONA FIDE
7 EMERGENCY SITUATION; OR

8 (2) THE ACTIVITY WAS UNDERTAKEN IN THE REASONABLE BELIEF
9 THAT IT WAS NECESSARY TO PRESERVE THE HEALTH, SAFETY, OR WELFARE OF THE
10 MINOR.

11 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
12 AND ON CONVICTION SHALL BE FINED NOT MORE THAN \$500 OR IMPRISONED FOR
13 NOT MORE THAN 6 MONTHS OR BOTH.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1997.