
By: **Delegate Morgan**

Introduced and read first time: February 5, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Radar Jamming Devices - Prohibition**

3 FOR the purpose of prohibiting the operation of a motor vehicle on a highway in the
4 State if the motor vehicle is equipped with a radar jamming device; prohibiting
5 a person from selling or offering to sell a radar jamming device; providing for
6 certain penalties; defining a certain term; requiring the Motor Vehicle
7 Administration to assess a certain number of points upon conviction of a certain
8 offense; and generally relating to radar jamming devices.

9 BY renumbering

10 Article - Transportation
11 Section 16-402(a)(9) through (35), respectively
12 to be Section 16-402(a)(10) through (36), respectively
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1997 Supplement)

15 BY adding to

16 Article - Transportation
17 Section 16-402(a)(9) and 21-1123
18 Annotated Code of Maryland
19 (1992 Replacement Volume and 1997 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article - Transportation
22 Section 27-101(b)
23 Annotated Code of Maryland
24 (1992 Replacement Volume and 1997 Supplement)

25 BY adding to

26 Article 27 - Crimes and Punishments
27 Section 42
28 Annotated Code of Maryland

1 (1996 Replacement Volume and 1997 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That Section(s) 16-402(a)(9) through (35), respectively, of the
4 Transportation Article of the Annotated Code of Maryland be renumbered to be
5 Section(s) 16-402(a)(10) through (36), respectively.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
7 read as follows:

8 **Article - Transportation**

9 16-402.

10 (a) After the conviction of an individual for a violation of Article 27, § 388, §
11 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
12 local authority, points shall be assessed against the individual as of the date of
13 violation and as follows:

14 (9) A VIOLATION OF § 21-1123 OF THIS ARTICLE 2 POINTS

15 21-1123.

16 (A) IN THIS SECTION, "RADAR JAMMING DEVICE" MEANS ANY DEVICE OR
17 MECHANISM DESIGNED TO COUNTERACT OR JAM AN EMISSION OF RADIO
18 MICROWAVES OR LASER BEAMS, OR INTERFERE WITH ANY FUTURE SPEED
19 MEASUREMENT TECHNOLOGY THAT A POLICE OFFICER OR OTHER LAW
20 ENFORCEMENT OFFICER USES TO MEASURE OR INDICATE THE SPEED OF A MOVING
21 OBJECT.

22 (B) A PERSON MAY NOT OPERATE A MOTOR VEHICLE ON A HIGHWAY IN THIS
23 STATE IF THE VEHICLE IS EQUIPPED WITH A RADAR JAMMING DEVICE.

24 (C) IT IS NOT A VIOLATION OF THIS SECTION TO POSSESS A RADAR JAMMING
25 DEVICE IN A MOTOR VEHICLE ON A HIGHWAY IN THIS STATE IF THE RADAR JAMMING
26 DEVICE:

27 (1) HAS NO POWER SOURCE AND IS INOPERABLE;

28 (2) IS BEING TRANSPORTED OUTSIDE THE COMPARTMENT OF THE
29 VEHICLE DESIGNED TO ACCOMMODATE THE DRIVER OR ANY PASSENGERS; AND

30 (3) IS NOT READILY ACCESSIBLE FOR USE BY THE DRIVER OR ANY
31 PASSENGER IN THE VEHICLE.

32 (D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE
33 PRESENCE OF A RADAR JAMMING DEVICE IN OR ON A MOTOR VEHICLE ON A
34 HIGHWAY IN THE STATE CONSTITUTES PRIMA FACIE EVIDENCE OF A VIOLATION OF
35 THIS SECTION.

1 27-101.

2 (b) Except as otherwise provided in this section, any person convicted of a
3 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
4 subject to a fine of not more than \$500.

5

Article 27 - Crimes and Punishments

6 42.

7 (A) IN THIS STATE, A PERSON MAY NOT SELL OR OFFER TO SELL A RADAR
8 JAMMING DEVICE AS DEFINED IN § 21-1123 OF THE TRANSPORTATION ARTICLE.

9 (B) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF
10 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF \$500.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1998.