

HOUSE BILL 689

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HB 532/97 - JUD

1998 Regular Session
8r1349
CF 8r2245

By: **Delegates T. Murphy and McHale**
Introduced and read first time: February 11, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of expanding the authority of the Department of State Police to
5 enforce the motor vehicle laws of this State in Baltimore City; making technical
6 changes; and generally relating to the powers of the Department 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 and 1997 Supplement)

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,
19 and defenses as sheriffs, constables, police officers, and other peace officers possessed
20 at common law and may now or hereafter exercise within their respective
21 jurisdictions. Any warrant of arrest may be executed by a police employee in any part
22 of the State without 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
25 or suspected offender; (2) when in search of an offender or suspected offender wanted
26 for a crime committed outside of the limits of the municipality, or when interviewing
27 or seeking to interview a witness or supposed witness to such a crime; (3) when a
28 crime is committed in the presence of the police employee, the arrested party shall be
29 immediately transferred to the custody of the local law enforcement agency; (4) when

1 requested to act by the chief executive officer or the chief police officer of the
2 municipality; (5) when ordered by the Governor to act within the municipality; (6)
3 [except in Baltimore City,] when enforcing the motor vehicle laws of this State; [(7)
4 in Baltimore City, only when enforcing Title 23 (Vehicle Laws - Inspection of Used
5 Vehicles and Warnings for Defective Equipment) of the Transportation Article; (8)] (7)
6 in any building or place when ordered by the President of the Senate and the Speaker
7 of the House of Delegates, or either of them, to guard the safety of legislators or the
8 integrity of the legislative process; [(9)] (8) to protect the safety of an elected State
9 official; [(10)] (9) in the municipalities of Somerset County; [(11)] (10) when enforcing
10 Article 27, § 419A of the Code; [(12)] (11)(i)1. when participating in a joint
11 investigation with officials from any other State, federal, or local law enforcement
12 agency at least one of which shall have local jurisdiction; 2. when rendering
13 assistance to a police officer; 3. when acting at the request of a local police officer; or
14 4. when an emergency exists; and (ii) when acting in accordance with regulations
15 adopted by the Secretary to implement this paragraph; or [(13)] (12) when conducting
16 investigations relating to or otherwise enforcing the provisions of Article 27, § 146 of
17 the Code.

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1998.