

---

By: **Senators Roesser, Bromwell, and Hogan Hogan, and Mooney**

Introduced and read first time: January 26, 2001

Assigned to: Economic and Environmental Affairs

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2001

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Education - Deaf, Hard of Hearing, or Speech Impaired Students, Parents,**  
3                                   **and Guardians - Portable Pagers**

4 FOR the purpose of allowing students who are deaf, hard of hearing, or speech  
5     impaired to use a portable pager after school hours; allowing students with a  
6     parent or guardian who is deaf, hard of hearing, or speech impaired to use a  
7     portable pager after school hours; and generally relating to deaf, hard of  
8     hearing, and speech impaired students, parents, and guardians and the use of  
9     portable pagers.

10 BY repealing and reenacting, with amendments,  
11     Article - Education  
12     Section 26-104  
13     Annotated Code of Maryland  
14     (1999 Replacement Volume and 2000 Supplement)

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

17                                   **Article - Education**

18 26-104.

19     (a)     (1)     In this section the following words have the meanings indicated.

20             (2)     "Portable pager" means any device carried, worn, or transported by  
21 an individual to receive or communicate messages.

1 (3) "Public school property" means the grounds of any public school.

2 (b) Except as provided in subsection (c) of this section, an individual may not  
3 possess a portable pager on public school property.

4 (c) This section does not apply to:

5 (1) Handicapped students using portable pagers for medical reasons;

6 (2) STUDENTS WHO ARE DEAF, HARD OF HEARING, OR SPEECH  
7 IMPAIRED USING A PORTABLE PAGER AFTER SCHOOL HOURS;

8 (3) STUDENTS WITH A PARENT OR GUARDIAN WHO IS DEAF, HARD OF  
9 HEARING, OR SPEECH IMPAIRED USING A PORTABLE PAGER AFTER SCHOOL HOURS;

10 [(2)] (4) Law enforcement officers;

11 [(3)] (5) Visitors on public school property for an authorized program,  
12 meeting, or function;

13 [(4)] (6) Faculty or staff members employed by a county board;

14 [(5)] (7) Members of any volunteer fire department, ambulance  
15 company, or rescue squad, who are designated to possess a portable pager on public  
16 school property by the chief of the volunteer fire department, ambulance company, or  
17 rescue squad, and the school principal; and

18 [(6)] (8) Students whose portable pagers are contained in vehicles that  
19 are on public school property and are not found to be connected with criminal activity.

20 (d) If an individual violates subsection (b) of this section, the school  
21 authorities:

22 (1) On a first offense, may contact a law enforcement officer; and

23 (2) On a second or subsequent offense, shall immediately contact a law  
24 enforcement officer.

25 (e) A law enforcement officer contacted by school authorities in accordance  
26 with subsection (d) of this section:

27 (1) Shall immediately inquire as to the reasons the individual possesses  
28 the pager; and

29 (2) May arrest the violator.

30 (f) Any person who violates subsection (b) of this section is guilty of a  
31 misdemeanor and on conviction is subject to a fine not exceeding \$2,500,  
32 imprisonment not exceeding 6 months, or both.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2001.