
By: **Harford County Delegation**

Introduced and read first time: January 31, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Municipal Police Officers - Authority to Enforce Maryland**
3 **Vehicle Law**

4 FOR the purpose of authorizing Harford County municipal police officers, within the
5 boundaries of Harford County, to enforce the Maryland Vehicle Law beyond the
6 municipal jurisdiction of the officer in certain circumstances; and generally
7 relating to the authority of Harford County municipal police officers to enforce
8 the Maryland Vehicle Law.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Procedure
11 Section 2-102(b)
12 Annotated Code of Maryland
13 (2001 Volume and 2004 Supplement)

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

16 **Article - Criminal Procedure**

17 2-102.

18 (b) (1) Subject to the limitations of paragraph (3) of this subsection, a police
19 officer may make arrests, conduct investigations, and otherwise enforce the laws of
20 the State throughout the State without limitations as to jurisdiction.

21 (2) (I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH, [This]
22 THIS section does not authorize a police officer who acts under the authority granted
23 by this section to enforce the Maryland Vehicle Law beyond the police officer's sworn
24 jurisdiction.

25 (II) A POLICE OFFICER EMPLOYED BY A MUNICIPAL CORPORATION
26 IN HARFORD COUNTY MAY ENFORCE THE MARYLAND VEHICLE LAW BEYOND THE
27 POLICE OFFICER'S SWORN JURISDICTION WHEN:

1 1. A. THE POLICE OFFICER IS OPERATING A MUNICIPAL
2 POLICE VEHICLE WITHIN THE JURISDICTIONAL BOUNDARIES OF HARFORD COUNTY
3 AND THE OFFICER OBSERVES A MOTOR VEHICLE VIOLATION THAT NECESSITATES
4 IMMEDIATE INTERVENTION BECAUSE THE VIOLATION COULD RESULT IN DEATH OR
5 SERIOUS BODILY INJURY; OR

6 B. THE POLICE OFFICER IS ACTING IN ACCORDANCE WITH A
7 MUTUAL AID AGREEMENT AS ESTABLISHED AND SET FORTH BY THE POLICE
8 OFFICER'S EMPLOYING UNIT; AND

9 2. THE POLICE OFFICER IS ACTING IN ACCORDANCE WITH
10 REGULATIONS ADOPTED BY THE POLICE OFFICER'S EMPLOYING UNIT.

11 (3) A police officer may exercise the powers granted by this section when:

12 (i) 1. the police officer is participating in a joint investigation
13 with officials from another State, federal, or local law enforcement unit, at least one
14 of which has local jurisdiction;

15 2. the police officer is rendering assistance to another police
16 officer;

17 3. the police officer is acting at the request of a police officer
18 or State Police officer; or

19 4. an emergency exists; and

20 (ii) the police officer is acting in accordance with regulations
21 adopted by the police officer's employing unit to carry out this section.

22 (4) The powers granted by this section are in addition to the powers
23 granted by §§ 5-801, 5-802, 5-807, 5-808, and 5-901 of the Criminal Law Article and
24 to the powers of fresh pursuit granted by Subtitle 3 of this title.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2005.