

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 406
Judiciary

(Harford County Delegation)

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

This bill authorizes Harford County municipal police officers to enforce the Maryland Vehicle Law beyond the officer's municipal jurisdiction when acting in accordance with regulations adopted by the officer's employing unit and: (1) the officer is operating a municipal police vehicle within the county and the officer observes a motor vehicle violation that could result in death or serious bodily injury; or (2) the officer is acting in accordance with a mutual aid agreement.

Fiscal Summary

State Effect: Minimal increase in monetary fine revenue from motor vehicle violations in Harford County.

Local Effect: Minimal. While the bill's changes may allow some operational efficiencies for the Harford County Sheriff's Office, it is not expected to have a significant fiscal impact on that office or the three affected municipal police departments in the county. The extent to which this bill could lead to increased arrests for traffic violations in the county cannot be reliably estimated.

Small Business Effect: None.

Analysis

Current Law: Under certain provisions of the Criminal Procedure Article, a police officer may make arrests, conduct investigations, and otherwise enforce the laws of the State throughout the State without limitations as to jurisdiction. These provisions do not

authorize a police officer who acts under this authority to enforce the Maryland Vehicle Law beyond the police officer's sworn jurisdiction.

The governing body of a county or municipal corporation may determine the circumstances under which the police officers and other officers, agents, and employees of the county or municipal corporation, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of the county or municipal corporation to any place within or outside the State. The acts done by the officers, agents, or employees under the authority of these provisions and the expenditures made by the county or municipal corporation are considered to be for a public and governmental purpose.

When a county or municipal corporation is acting through the officers, agents, or employees for a public or governmental purpose beyond its boundaries under these provisions or other lawful authority, the county or municipal corporation has the same immunities from liability as when acting through such persons within its boundaries. The officers, agents, or employees have the same immunity from liability described in the Courts Article and exemptions from laws, ordinances, and regulations, and the same pension, relief, disability, workers' compensation, and other benefits as those persons have while performing their duties within the boundaries of the county or municipal corporation.

Background: The Harford County Sheriff's Office has jurisdiction throughout the county to enforce Maryland's vehicle laws. There are three municipal police departments in the county: Aberdeen, Bel Air, and Havre de Grace.

Additional Information

Prior Introductions: None.

Cross File: SB 648 (Harford County Senators) – Judicial Proceedings.

Information Source(s): Harford County, Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2005
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