

HOUSE BILL 1574

P4

9lr3481

By: **Delegate O'Donnell**

Rules suspended

Introduced and read first time: March 21, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Officials – Chauffeured Driving Services**

3 FOR the purpose of providing that public officials may not request the Department of
4 State Police to provide chauffeured transportation services for them for any
5 purpose; providing that public officials may not request the Department to
6 provide an officer or employee of the Department to provide chauffeured
7 transportation services for them for any purpose; providing that public officials
8 may not require employees under their control to perform chauffeured
9 transportation services for any purpose by using certain vehicles; providing that
10 a certain provision of this Act does not apply to the Governor and the
11 Lieutenant Governor; providing for certain circumstances under which the
12 prohibitions of this Act do not apply; providing that members of the General
13 Assembly may not request the use of the personnel and vehicles assigned by the
14 Department to the Legislative Security Force for chauffeured transportation
15 services, subject to certain exceptions; defining a certain term; and generally
16 relating to the provision of chauffeured transportation services for public
17 officials.

18 BY repealing and reenacting, with amendments,
19 Article – State Government
20 Section 2–106
21 Annotated Code of Maryland
22 (2004 Replacement Volume and 2008 Supplement)

23 BY adding to
24 Article – State Government
25 Section 8–505
26 Annotated Code of Maryland
27 (2004 Replacement Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Government**

4 2–106.

5 (a) In this section, “Force” means the Legislative Security Force.

6 (b) There is a Legislative Security Force.

7 (c) The Force consists of the members of the Department of State Police who
8 are assigned for duty with the General Assembly.

9 (d) Under the guidance of the presiding officers of the General Assembly, the
10 Force shall maintain order during the conduct of the legislative process.

11 **(E) EXCEPT UNDER EMERGENCY CIRCUMSTANCES AS DETERMINED BY**
12 **THE SECRETARY OF STATE POLICE OR IF A MEMBER OF THE GENERAL**
13 **ASSEMBLY HAS JUSTIFIABLE HEALTH OR MEDICAL NEEDS, A MEMBER OF THE**
14 **GENERAL ASSEMBLY, INCLUDING THE PRESIDENT OF THE SENATE AND THE**
15 **SPEAKER OF THE HOUSE OF DELEGATES, MAY NOT REQUEST THE USE OF**
16 **PERSONNEL AND VEHICLES ASSIGNED BY THE DEPARTMENT OF STATE POLICE**
17 **TO THE FORCE FOR CHAUFFEURED TRANSPORTATION SERVICES FOR THE**
18 **MEMBER FOR ANY PURPOSE.**

19 **8–505.**

20 **(A) IN THIS SECTION, “PUBLIC OFFICIAL” MEANS:**

21 **(1) THE SECRETARY AND A DEPUTY SECRETARY OF A PRINCIPAL**
22 **DEPARTMENT OF THE EXECUTIVE BRANCH;**

23 **(2) THE COMPTROLLER;**

24 **(3) THE STATE TREASURER;**

25 **(4) THE ATTORNEY GENERAL;**

26 **(5) THE SECRETARY OF STATE;**

27 **(6) THE CHIEF JUDGE OF:**

28 **(I) THE COURT OF APPEALS OF MARYLAND;**

- 1 (II) THE COURT OF SPECIAL APPEALS OF MARYLAND; AND
- 2 (III) THE DISTRICT COURT;
- 3 (7) THE CHAIR OF THE CONFERENCE OF CIRCUIT COURT
- 4 JUDGES;
- 5 (8) THE CHIEF ADMINISTRATIVE JUDGE OF THE OFFICE OF
- 6 ADMINISTRATIVE HEARINGS;
- 7 (9) THE DIRECTOR, CHAIR, OR HEAD OF AN INDEPENDENT
- 8 REGULATORY COMMISSION, A QUASI-PUBLIC CORPORATION CREATED BY
- 9 STATE LAW, OR ANY OTHER INDEPENDENT AGENCY IN THE EXECUTIVE
- 10 BRANCH; AND
- 11 (10) THE CHANCELLOR AND THE PRESIDENT OF THE UNIVERSITY
- 12 SYSTEM OF MARYLAND, THE PRESIDENT OF EACH CONSTITUENT INSTITUTION
- 13 OF HIGHER EDUCATION IN THE UNIVERSITY SYSTEM OF MARYLAND, THE
- 14 PRESIDENT OF MORGAN STATE UNIVERSITY, AND THE PRESIDENT OF ST.
- 15 MARY'S COLLEGE.

16 (B) THIS SECTION DOES NOT APPLY TO THE GOVERNOR OR THE

17 LIEUTENANT GOVERNOR.

18 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A

19 PUBLIC OFFICIAL MAY NOT:

20 (1) REQUEST THE DEPARTMENT OF STATE POLICE TO PROVIDE,

21 BY MEANS OF A VEHICLE OWNED BY THE DEPARTMENT, CHAUFFEURED

22 TRANSPORTATION SERVICES FOR THE PUBLIC OFFICIAL FOR ANY PURPOSE;

23 (2) REQUEST THE DEPARTMENT OF STATE POLICE TO PROVIDE

24 AN OFFICER OR EMPLOYEE OF THE DEPARTMENT TO PERFORM CHAUFFEURED

25 TRANSPORTATION SERVICES FOR THE PUBLIC OFFICIAL FOR ANY PURPOSE, BY

26 USING THE PUBLIC OFFICIAL'S STATE-OWNED VEHICLE OR PERSONAL VEHICLE;

27 OR

28 (3) REQUIRE AN EMPLOYEE OF THE DEPARTMENT, AGENCY, UNIT,

29 OR OTHER ENTITY OVER WHOM THE PUBLIC OFFICIAL HAS CONTROL TO DRIVE

30 THE PUBLIC OFFICIAL FOR ANY PURPOSE IN A VEHICLE OWNED BY THE STATE,

31 THE PUBLIC OFFICIAL, OR THE EMPLOYEE.

32 (D) THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION DO NOT

33 APPLY IF:

1 **(1) THERE ARE EMERGENCY CIRCUMSTANCES AS DETERMINED**
2 **BY THE SECRETARY OF STATE POLICE OR THE APPROPRIATE AUTHORITY IN**
3 **THE DEPARTMENT, AGENCY, UNIT, OR OTHER ENTITY TO WHICH THE PUBLIC**
4 **OFFICIAL WAS ELECTED OR APPOINTED OR BY WHICH THE PUBLIC OFFICIAL IS**
5 **EMPLOYED; OR**

6 **(2) THE PUBLIC OFFICIAL HAS JUSTIFIABLE HEALTH OR MEDICAL**
7 **NEEDS THAT REQUIRE CHAUFFEURED TRANSPORTATION SERVICES IN ORDER**
8 **FOR THE PUBLIC OFFICIAL TO PERFORM THE REQUIREMENTS OF THE PUBLIC**
9 **OFFICIAL'S POSITION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
11 effect July 1, 2009.