

HOUSE BILL 1029

E4

3lr0870

By: **Delegates Solomon, Bridges, Charkoudian, Fraser–Hidalgo, Harris, Henson, R. Lewis, Moon, Ruth, Shetty, Smith, Wells, and Wilkins**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation and Appropriations

A BILL ENTITLED

AN ACT concerning

Public Safety – Lights On for Maryland Program – Establishment

FOR the purpose of establishing the Lights On for Maryland Program to authorize law enforcement agencies to provide vouchers to individuals detained at certain traffic stops to cover the costs of certain vehicle equipment repairs at certain auto repair shops; requiring the Governor’s Office of Crime Prevention, Youth, and Victim Services to administer the Program; establishing the Lights On for Maryland Program Fund as a special, nonlapsing fund to finance the Program; requiring interest earnings of the Fund to be credited to the Fund; requiring the Department of State Police to participate in the Program; and generally relating to the Lights On for Maryland Program.

BY adding to

Article – Public Safety

Section 4–1601 through 4–1604 to be under the new subtitle “Subtitle 16. Lights On for Maryland Program”

Annotated Code of Maryland
(2022 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii) 170. and 171.

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY adding to

Article – State Finance and Procurement
 Section 6–226(a)(2)(ii)172.
 Annotated Code of Maryland
 (2021 Replacement Volume and 2022 Supplement)

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

Article – Public Safety

SUBTITLE 16. LIGHTS ON FOR MARYLAND PROGRAM.

4–1601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “DEPARTMENT” MEANS THE DEPARTMENT OF STATE POLICE.

(C) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.

(D) “FUND” MEANS THE LIGHTS ON FOR MARYLAND PROGRAM FUND.

(E) (1) “LAW ENFORCEMENT AGENCY” MEANS A LAW ENFORCEMENT AGENCY OF THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION.

(2) “LAW ENFORCEMENT AGENCY” INCLUDES A COUNTY SHERIFF’S DEPARTMENT.

(F) “PROGRAM” MEANS THE LIGHTS ON FOR MARYLAND PROGRAM.

(G) “QUALIFIED AUTO REPAIR LOCATION” MEANS AN AUTO REPAIR SHOP THAT HAS PARTNERED WITH THE DEPARTMENT TO ACCEPT PROGRAM VOUCHERS.

(H) “TRAFFIC STOP” MEANS ANY INSTANCE WHEN A LAW ENFORCEMENT OFFICER STOPS THE DRIVER OF A MOTOR VEHICLE AND DETAINS THE DRIVER FOR ANY PERIOD OF TIME FOR A VIOLATION OF THE MARYLAND VEHICLE LAW.

4–1602.

(A) THERE IS A LIGHTS ON FOR MARYLAND PROGRAM.

(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDING TO LAW ENFORCEMENT AGENCIES FOR THE DISTRIBUTION TO A DRIVER, AT A TRAFFIC STOP FOR AN EQUIPMENT VIOLATION INVOLVING A HEADLIGHT, TAILLIGHT, BRAKE LIGHT, OR TURN SIGNAL, OF A VOUCHER FOR VEHICLE REPAIR FOR REDEMPTION AT A QUALIFIED AUTO REPAIR LOCATION.

(C) (1) A LAW ENFORCEMENT OFFICER OF A PARTICIPATING LAW ENFORCEMENT AGENCY MAY DISTRIBUTE TO THE DRIVER, AT A TRAFFIC STOP FOR AN EQUIPMENT VIOLATION INVOLVING A DEFECTIVE HEADLIGHT, TAILLIGHT, BRAKE LIGHT, OR TURN SIGNAL, A VOUCHER TO COVER THE COSTS OF REPAIRING THE DEFECTIVE HEADLIGHT, TAILLIGHT, BRAKE LIGHT, OR TURN SIGNAL THAT RESULTED IN THE TRAFFIC STOP FOR REDEMPTION AT A QUALIFIED AUTO REPAIR LOCATION.

(2) A VOUCHER DISTRIBUTED UNDER THE PROGRAM MAY BE:

(I) ONLY REDEEMABLE FOR THE COSTS OF REPAIRING THE DEFECTIVE HEADLIGHT, TAILLIGHT, BRAKE LIGHT, OR TURN SIGNAL THAT RESULTED IN THE TRAFFIC STOP;

(II) ONLY IN AN AMOUNT NOT EXCEEDING \$250; AND

(III) ONLY REDEEMABLE AT A QUALIFIED AUTO REPAIR LOCATION.

(D) A LAW ENFORCEMENT AGENCY THAT PARTICIPATES IN THE PROGRAM MAY DEVELOP CRITERIA FOR ISSUING A VOUCHER UNDER THE PROGRAM.

(E) THE EXECUTIVE DIRECTOR SHALL:

(1) ADOPT GUIDELINES AND DEVELOP STANDARDS AND PROCEDURES FOR VOUCHERS DISTRIBUTED UNDER THE PROGRAM;

(2) PROVIDE TRAINING TO LOCAL LAW ENFORCEMENT AGENCIES ON THE GUIDELINES, STANDARDS, AND PROCEDURES; AND

(3) RECRUIT AUTO REPAIR LOCATIONS THROUGHOUT THE STATE TO PARTICIPATE IN THE PROGRAM.

4-1603.

(A) THERE IS A LIGHTS ON FOR MARYLAND PROGRAM FUND.

(B) THE PURPOSE OF THE FUND IS TO FINANCE MATCHING GRANTS TO LAW ENFORCEMENT AGENCIES THAT PARTICIPATE IN THE PROGRAM.

(C) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) (1) THE FUND MAY BE USED ONLY TO PROVIDE MATCHING GRANTS TO LAW ENFORCEMENT AGENCIES TO IMPLEMENT THE PROGRAM.

(2) A LAW ENFORCEMENT AGENCY AWARDED A MATCHING GRANT UNDER THIS SECTION SHALL PROVIDE AT LEAST A 100% MATCH.

(3) A LAW ENFORCEMENT AGENCY MAY RECEIVE ONLY A MATCHING GRANT UNDER THIS SECTION THAT APPLIES FOR NOT MORE THAN 2 YEARS.

(4) THE EXECUTIVE DIRECTOR SHALL ESTABLISH PROCEDURES FOR LAW ENFORCEMENT AGENCIES TO APPLY FOR A MATCHING GRANT FROM THE FUND.

(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(I) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$350,000 TO THE FUND.

4-1604.

(A) THE DEPARTMENT SHALL PARTICIPATE IN THE LIGHTS ON FOR MARYLAND PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

(B) FOR THE FIRST YEAR THAT THE DEPARTMENT PARTICIPATES IN THE PROGRAM, THE DEPARTMENT SHALL:

(1) IMPLEMENT THE PROGRAM IN AT LEAST THREE GEOGRAPHICALLY DIVERSE BARRACKS IN THE STATE; AND

(2) RECORD THE NUMBER OF VOUCHERS THAT WERE:

(I) DISTRIBUTED;

(II) REDEEMED; AND

(III) ISSUED IN CONJUNCTION WITH A TRAFFIC CITATION.

(C) AFTER THE FIRST YEAR OF PARTICIPATION, THE DEPARTMENT SHALL IMPLEMENT THE PROGRAM IN ALL STATE POLICE BARRACKS.

(D) THE DEPARTMENT MAY DEVELOP CRITERIA FOR ISSUING A VOUCHER UNDER THE PROGRAM.

Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

170. the Cannabis Public Health Fund; [and]

171. the Community Reinvestment and Repair Fund; AND

172. THE LIGHTS ON FOR MARYLAND PROGRAM FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.