

SENATE BILL 75

R7

3lr0046

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 5, 2013

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicle Administration – Investigative Division – Issuance of Citations**

3 FOR the purpose of authorizing an employee of the Investigative Division of the Motor
4 Vehicle Administration to issue citations to the same extent as a police officer
5 under certain circumstances; altering the violations for which an employee of
6 the Investigative Division may issue a citation under certain circumstances;
7 making certain stylistic changes; and generally relating to the authority of
8 employees of the Investigative Division of the Motor Vehicle Administration to
9 issue citations.

10 BY repealing and reenacting, without amendments,

11 Article – Transportation

12 Section 11–147

13 Annotated Code of Maryland

14 (2012 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article – Transportation

17 Section 12–104.1

18 Annotated Code of Maryland

19 (2012 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Transportation**

4 11–147.

5 “Police officer” means an officer authorized to direct or regulate traffic or to
6 make arrests for violations of any of the provisions of the Maryland Vehicle Law or of
7 local or other traffic laws or regulations.

8 12–104.1.

9 (a) The Administrator may designate employees of the Investigative Division
10 of the Administration to exercise the powers specified in subsection (b) of this section.

11 (b) (1) An employee appointed under this section may issue citations to
12 the **SAME** extent **AS A POLICE OFFICER IF** authorized by the Administration, for
13 violations of:

14 (i) **[Those] THE** provisions of Title 13 of this article **[relating**
15 **to:**

16 1. The vehicle excise tax;

17 2. Vehicle titling and registration;

18 3. Special registration plates for individuals with
19 disabilities; and

20 4. Parking permits for individuals with disabilities];

21 (ii) **[Those] THE** provisions of Title 17 of this article relating to
22 required security;

23 (iii) **[Those] THE** provisions of Title 14 of this article relating to
24 falsified, altered, or forged documents and plates;

25 (iv) **[Those] THE** provisions of Title 16 of this article relating to
26 unlawful application for a license, **[and]** vehicle operation during periods of
27 cancellation, revocation, and suspension of a driver’s license, **AND DUPLICATION OR**
28 **REPRODUCTION OF AN IDENTIFICATION CARD OR DRIVER’S LICENSE;**

29 (v) **[Those] THE** provisions of Title 21 of this article relating to
30 special residential parking permits issued by the Administration;

1 (vi) [Those provisions of §§ 15–113 and 15–113.1 of this article
2 relating to maintenance of and access to required business records;

3 (vii) Those] THE provisions of Title 15 of this article [relating to
4 unlicensed business activity; and];

5 (VII) THE PROVISIONS OF § 22–415 OF THIS ARTICLE
6 RELATING TO ODOMETERS; AND

7 (viii) [Those] THE provisions of this title relating to the issuance
8 of an identification card.

9 (2) The issuance of citations under this section shall comply with the
10 requirements of § 26–201 of this article.

11 (c) The Administration shall adopt regulations establishing:

12 (1) Qualifications for employees appointed under this section including
13 prerequisites of character, training, experience, and education; and

14 (2) Standards for the performance of the duties assigned to employees
15 appointed under this section.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.