

SENATE BILL 727

E4

5lr2342
CF HB 918

By: **Senators Norman, Cassilly, and Raskin**
Introduced and read first time: February 13, 2015
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Motorcycle Profiling – Training**

3 FOR the purpose of requiring the Police Training Commission to require a certain
4 statement condemning motorcycle profiling to be included in certain written policies;
5 requiring the Commission to include in certain curriculum and courses of study
6 training on motorcycle profiling; defining a certain term; and generally relating to
7 requiring certain training on motorcycle profiling.

8 BY renumbering

9 Article – Public Safety
10 Section 3–201(e) and (f), respectively
11 to be Section 3–201(f) and (g), respectively
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2014 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Public Safety
16 Section 3–201(a)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2014 Supplement)

19 BY adding to

20 Article – Public Safety
21 Section 3–201(e) and 3–207(18)
22 Annotated Code of Maryland
23 (2011 Replacement Volume and 2014 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Public Safety
26 Section 3–207(17) and (18)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(2011 Replacement Volume and 2014 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 3–201(e) and (f), respectively, of Article – Public Safety of the Annotated Code of Maryland be renumbered to be Section(s) 3–201(f) and(g), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety

3–201.

(a) In this subtitle the following words have the meanings indicated.

(E) “MOTORCYCLE PROFILING” MEANS THE USE OF THE FACT THAT AN INDIVIDUAL RIDES A MOTORCYCLE OR WEARS MOTORCYCLE–RELATED CLOTHING OR PARAPHERNALIA IN DECIDING TO STOP, QUESTION, TAKE ENFORCEMENT ACTION, ARREST, OR SEARCH THE INDIVIDUAL OR A VEHICLE OCCUPIED BY THE INDIVIDUAL WITHOUT ANY REASONABLE SUSPICION OR PROBABLE CAUSE TO BELIEVE THE INDIVIDUAL OR A MOTORCYCLE WAS INVOLVED IN A CRIME.

3–207.

Subject to the authority of the Secretary, the Commission has the following powers and duties:

(17) to develop, with the cooperation of the Office of the Attorney General, the Governor’s Office of Crime Control and Prevention, and the Federal Trade Commission, a uniform identity fraud reporting form that:

(i) makes transmitted data available on or before October 1, 2011, for use by each law enforcement agency of State and local government; and

(ii) may authorize the data to be transmitted to the Consumer Sentinel program in the Federal Trade Commission; [and]

(18) TO REQUIRE:

(I) A STATEMENT CONDEMNING MOTORCYCLE PROFILING TO BE INCLUDED IN EXISTING WRITTEN POLICIES REGARDING OTHER PROFILING; AND

(II) FOR ENTRANCE–LEVEL POLICE TRAINING AND FOR IN–SERVICE LEVEL TRAINING CONDUCTED BY THE STATE AND EACH COUNTY AND MUNICIPAL POLICE TRAINING SCHOOL, THAT THE CURRICULUM AND MINIMUM COURSES OF STUDY INCLUDE, CONSISTENT WITH ESTABLISHED LAW ENFORCEMENT

1 STANDARDS AND FEDERAL AND STATE CONSTITUTIONAL PROVISIONS, TRAINING
2 RELATED TO MOTORCYCLE PROFILING IN CONJUNCTION WITH EXISTING TRAINING
3 REGARDING OTHER PROFILING; AND

4 [(18)] (19) to perform any other act that is necessary or appropriate to carry
5 out the powers and duties of the Commission under this subtitle.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2015.