

HOUSE BILL 482

R6

6lr1365

By: **Delegates Haynes, Brooks, Chang, Conaway, Frush, Glenn, Gutierrez, Hayes, Lam, Oaks, Patterson, B. Robinson, Sydnor, and P. Young**

Introduced and read first time: February 1, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Law Enforcement Transport Vehicles – Recording Equipment**

3 FOR the purpose of requiring that certain vehicles used by a law enforcement agency to
4 transport arrestees or other passengers be equipped with audio and video recording
5 devices in certain passenger areas of the vehicles; requiring that the audio and video
6 recording devices be calibrated and tested before the use of certain vehicles;
7 prohibiting the use of certain vehicles for transport if the audio and video recording
8 devices are not properly functioning; and generally relating to law enforcement
9 transport vehicles.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 22–101(a)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2015 Supplement)

15 BY adding to
16 Article – Transportation
17 Section 22–414.2
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2015 Supplement)

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

Article – Transportation

22
23 22–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) A person may not drive and the owner may not cause or knowingly
2 permit to be driven on any highway any vehicle or combination of vehicles that:

3 (i) Is in such unsafe condition as to endanger any person;

4 (ii) Does not contain those parts or is not at all times equipped with
5 lamps and other equipment in proper condition and adjustment as required in this title; or

6 (iii) Is equipped in any manner in violation of this title.

7 (2) A person may not do any act forbidden or fail to do any act required
8 under this title.

9 **22-414.2.**

10 (A) **THIS SECTION DOES NOT APPLY TO THE FRONT PASSENGER SEAT OF A**
11 **VEHICLE.**

12 (B) **AN EMERGENCY VEHICLE PURCHASED OR LEASED BY THE STATE, A**
13 **COUNTY, OR A MUNICIPAL CORPORATION AND OPERATED BY A LAW ENFORCEMENT**
14 **AGENCY TO TRANSPORT ARRESTEES OR OTHER PASSENGERS SHALL BE EQUIPPED**
15 **WITH AUDIO AND VIDEO RECORDING EQUIPMENT IN ANY AREA OF THE VEHICLE**
16 **THAT MAY BE LAWFULLY OCCUPIED BY A PASSENGER.**

17 (C) (1) **BEFORE ANY SHIFT DURING WHICH AN EMERGENCY VEHICLE MAY**
18 **BE USED TO TRANSPORT ARRESTEES OR OTHER PASSENGERS, THE AUDIO AND**
19 **VIDEO RECORDING EQUIPMENT MUST BE CALIBRATED AND TESTED TO ENSURE**
20 **PROPER FUNCTION.**

21 (2) **IF THE AUDIO AND VIDEO RECORDING EQUIPMENT DOES NOT**
22 **PROPERLY FUNCTION, THE VEHICLE MAY NOT BE USED TO TRANSPORT ARRESTEES**
23 **OR OTHER PASSENGERS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2016.