

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1443

(Delegate Glass)

Judiciary

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**Public Safety - Law Enforcement Agencies - Vehicle and Officer Identification Requirements (Police Identification and Accountability Act of 2016)**

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This bill requires, with specified exceptions, a law enforcement agency to identify, in a font at least six inches in height, on the sides of each law enforcement vehicle and, if applicable, on the hood and trunk or tailgate of each vehicle (1) the name of the law enforcement agency; (2) the jurisdiction of the law enforcement agency; and (3) if the vehicle is employed by the Department of State Police (DSP), the barracks location from which the vehicle operates. In addition, the bill requires a law enforcement officer to provide a driver of a motor vehicle, whom the officer stops and detains for any period of time for a violation of the Maryland Vehicle Law, a business card identifying (1) the name, badge number, and, if applicable, barracks location of the law enforcement officer and (2) the name and telephone number of the law enforcement officer's superior officer.

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**Fiscal Summary**

**State Effect:** State expenditures (multiple fund types) increase for various State law enforcement agencies to mark vehicles and print business cards. Based on a limited survey of State agencies with law enforcement units, State expenditures increase by at least \$73,000 in fiscal 2017, with ongoing costs in future years. Revenues are not affected.

**Local Effect:** Local expenditures increase for law enforcement agencies to mark vehicles and print business cards. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal or none.

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## Analysis

**Bill Summary:** The bill's vehicle marking requirements do not apply to a bicycle, a motorcycle, or an unmarked vehicle employed by a law enforcement agency.

**Current Law:** Maryland law does not specify requirements for vehicle markings for emergency vehicles; however, there are statutory provisions that govern equipping motor vehicles with audible and visual signals.

### *Emergency Vehicle Markings and Equipment*

Flashing lights are prohibited on motor vehicles unless specifically required or permitted in statute. An "emergency vehicle" is a vehicle of a governmental law enforcement agency; volunteer fire company, rescue squad, or other medical emergency vehicle; a State vehicle used to respond to a hazardous materials spill; a vehicle designated for emergency use by the Commissioner of Correction; an ambulance; and special vehicles provided by the government and used for emergency purposes. Every emergency vehicle must be equipped with a siren, exhaust whistle, or bell that is capable of giving an audible signal, in addition to any other equipment and required distinctive markings. These vehicles must also be equipped with signal lamps mounted as high as practicable, with a flashing red light or lights to the front and rear. The lights must be visible for 500 feet in normal sunlight.

### *Impersonation of Law Enforcement Officers*

A person may not, with fraudulent design on person or property, falsely represent themselves to be a police officer, special police officer, sheriff, deputy sheriff, or constable. With a certain exception, a person may not have, use, wear, or display a uniform, shield, button, ornament, badge, identification, or shoulder patch adopted by DSP to be worn by its members, insignia, or emblem of office, as is worn by a police officer, sheriff, deputy sheriff, or constable. In addition, a person may not, for the purpose of deception, have a simulation or imitation of such an insignia or emblem, or use, wear, or display such an article without the appropriate authority of specified State, local, or federal law enforcement entities.

A violator is guilty of a misdemeanor and subject to maximum penalties of imprisonment for two years and/or a fine of \$2,000.

**State Fiscal Effect:** Any State agency with law enforcement vehicles and officers subject to the bill's requirements incurs additional costs to mark vehicles and print business cards to the extent they do not already do so in a manner that satisfies the requirements of the bill. Although a reliable estimate of the bill's overall impact on State expenditures cannot be made at this time, based on a limited survey of State agencies with law enforcement

units, State expenditures (multiple fund types) increase by at least \$73,000 – and likely significantly more – in fiscal 2017 to mark vehicles and print business cards; future year expenditures are also incurred to mark additional vehicles, replace vehicle markings as needed, and to purchase additional business cards. The information and assumptions used to calculate this minimum estimate are stated below:

- the Natural Resources Police (NRP) within the Department of Natural Resources reports that the total cost to remark each of its 75 vehicles is approximately \$30,000. NRP can print business cards with existing budgeted resources;
- the Maryland Transportation Authority (MDTA) advises that there are 464 sworn MDTA police officers. Business cards for each sworn member are estimated to cost \$59.30 per box of 500, for a total estimated initial cost of \$27,515; in future years, costs are incurred to replace business cards as needed. MDTA did not provide any information regarding the need to mark any of its vehicles;
- the Maryland Capital Police (MCP) within the Department of General Services reports that the cost to remark a police vehicle is estimated at \$1,000 per vehicle and that general fund expenditures increase by a total of \$8,000 to remark each of its eight marked vehicles. In addition, general fund expenditures increase by an estimated \$7,500 in fiscal 2017 to purchase business cards for MCP's 75 sworn officers;
- the Department of Labor, Licensing, and Regulation advises that general fund expenditures increase by \$1,418 to \$2,000 for each vehicle to mark it in compliance with the bill;
- the University System of Maryland reports costs of approximately \$1,000 to mark any vehicles that do not already meet the bill's requirements; and
- the Comptroller's Office advises that general fund expenditures increase minimally.

The Department of Legislative Services notes that the minimum estimate provided above does not include costs for other State law enforcement agencies, including the Department of State Police. Thus, costs are likely significantly higher.

**Local Expenditures:** Local government expenditures also increase to mark law enforcement vehicles and print business cards. A reliable estimate of the overall impact on local expenditures cannot be made. However, a limited survey of local governments provided the following information:

- Montgomery County reports that costs to remark the police department's 963 marked vehicles total \$771,700 in fiscal 2017, and that costs to purchase new business cards for its 1,251 sworn officers totals approximately \$23,100 in fiscal 2017, resulting in a total impact of approximately \$794,800 in fiscal 2017;
- St. Mary's County advises that the bill increases costs by an estimated \$44,400 in fiscal 2017 and by approximately \$800 annually thereafter;
- Carroll County reports that costs could total more than \$24,000 to mark 120 vehicles, assuming a cost of \$200 per vehicle;
- Queen Anne's County advises that it incurs costs of \$1,440 annually to purchase business cards;
- Harford County advises that the bill has a fiscal impact, but did not provide any additional information regarding the potential increase in costs; and
- the City of Takoma Park reports anticipated costs of about \$2,000 annually for business cards that meet the bill's requirements.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Carroll, Harford, Montgomery, Queen Anne's, and St. Mary's counties; Maryland Association of Counties; City of Takoma Park; Department of General Services; Comptroller's Office; University System of Maryland; Department of Labor, Licensing, and Regulation; Department of Natural Resources; Maryland Department of Transportation; Department of Legislative Services

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