

SENATE BILL 102

E4

8lr0314

(PRE-FILED)

By: **Senator Rosapepe**

Requested: April 14, 2017

Introduced and read first time: January 10, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Airplane Passenger Public Safety Act of 2018**

3 FOR the purpose of prohibiting a law enforcement officer from removing or participating
4 in the removal of a passenger from an aircraft under certain circumstances; defining
5 certain terms; and generally relating to the removal of passengers from aircraft.

6 BY adding to

7 Article – Public Safety

8 Section 3–520

9 Annotated Code of Maryland

10 (2011 Replacement Volume and 2017 Supplement)

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

13 **Article – Public Safety**

14 **3–520.**

15 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (2) “AIRCRAFT” HAS THE MEANING STATED IN § 5–101 OF THE
18 TRANSPORTATION ARTICLE.

19 (3) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN §
20 3–101(E) OF THIS TITLE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A LAW ENFORCEMENT OFFICER MAY NOT REMOVE OR PARTICIPATE IN**
2 **THE REMOVAL OF A PASSENGER FROM AN AIRCRAFT IF:**

3 **(1) THE PASSENGER HOLDS A TICKET FOR A SEAT ON THE AIRCRAFT;**

4 **(2) THE PASSENGER HAS BOARDED AND BEEN SEATED ON THE**
5 **AIRCRAFT;**

6 **(3) THE PASSENGER'S PRESENCE ON THE AIRCRAFT DOES NOT**
7 **ENDANGER THE SAFETY OF ANOTHER INDIVIDUAL;**

8 **(4) THE COMMON CARRIER THAT ISSUED THE TICKET TO THE**
9 **PASSENGER HAS REQUESTED THAT THE PASSENGER EXIT THE AIRCRAFT BECAUSE**
10 **THE COMMON CARRIER INTENDS THAT THE SEAT BEING OCCUPIED BY THE**
11 **PASSENGER BE OCCUPIED BY ANOTHER INDIVIDUAL;**

12 **(5) THE AIRCRAFT HAS NOT TRANSPORTED THE PASSENGER TO THE**
13 **FINAL DESTINATION POINT DESIGNATED ON THE PASSENGER'S TICKET; AND**

14 **(6) THE LAW ENFORCEMENT OFFICER DOES NOT HAVE PROBABLE**
15 **CAUSE TO CHARGE THE PASSENGER WITH A VIOLATION OF STATE LAW OTHER THAN**
16 **A VIOLATION ARISING FROM THE COMMON CARRIER'S REQUEST UNDER ITEM (4) OF**
17 **THIS SUBSECTION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2018.