

HOUSE BILL 918

E4

5lr2540
CF SB 727

By: **Delegates Kramer, Anderton, Beidle, Bromwell, Carey, Cassilly, Fisher, Fraser-Hidalgo, Glass, Grammer, S. Howard, Impallaria, Jacobs, Lafferty, Mautz, O'Donnell, Oaks, Patterson, Pena-Melnyk, Reilly, B. Robinson, S. Robinson, Szeliga, and B. Wilson**

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

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,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Public Safety
2 Section 3–207(17) and (18)
3 Annotated Code of Maryland
4 (2011 Replacement Volume and 2014 Supplement)

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

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

10 **Article – Public Safety**

11 3–201.

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

13 **(E) “MOTORCYCLE PROFILING” MEANS THE USE OF THE FACT THAT AN**
14 **INDIVIDUAL RIDES A MOTORCYCLE OR WEARS MOTORCYCLE–RELATED CLOTHING**
15 **OR PARAPHERNALIA IN DECIDING TO STOP, QUESTION, TAKE ENFORCEMENT**
16 **ACTION, ARREST, OR SEARCH THE INDIVIDUAL OR A VEHICLE OCCUPIED BY THE**
17 **INDIVIDUAL WITH OR WITHOUT A LEGAL BASIS UNDER THE U.S. CONSTITUTION,**
18 **THE MARYLAND CONSTITUTION, OR THE MARYLAND DECLARATION OF RIGHTS.**

19 3–207.

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

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

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

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

29 **(18) TO REQUIRE:**

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

1 **(II) FOR ENTRANCE-LEVEL POLICE TRAINING AND FOR**
2 **IN-SERVICE LEVEL TRAINING CONDUCTED BY THE STATE AND EACH COUNTY AND**
3 **MUNICIPAL POLICE TRAINING SCHOOL, THAT THE CURRICULUM AND MINIMUM**
4 **COURSES OF STUDY INCLUDE, CONSISTENT WITH ESTABLISHED LAW ENFORCEMENT**
5 **STANDARDS AND FEDERAL AND STATE CONSTITUTIONAL PROVISIONS, TRAINING**
6 **RELATED TO MOTORCYCLE PROFILING IN CONJUNCTION WITH EXISTING TRAINING**
7 **REGARDING OTHER PROFILING; AND**

8 **[(18)] (19)** to perform any other act that is necessary or appropriate to carry
9 out the powers and duties of the Commission under this subtitle.

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