

HOUSE BILL 1453

E4, R2

2lr3412

By: **Delegate Jameson**

Introduced and read first time: March 5, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Impersonating an Officer of the Washington Metropolitan**
3 **Area Transit Authority Metro Transit Police – Prohibited**

4 FOR the purpose of altering a certain definition of “police officer” to include a member
5 of the Washington Metropolitan Area Transit Authority (WMATA) Metro
6 Transit Police for purposes of certain provisions of law prohibiting
7 impersonating a police officer; authorizing a person to have, use, wear, or
8 display a uniform, badge, or certain other articles worn or displayed by
9 members of the WMATA Metro Transit Police only with certain authorization;
10 and generally relating to impersonating an officer of the WMATA Metro Transit
11 Police.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 3–502
15 Annotated Code of Maryland
16 (2011 Replacement Volume)

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

19 **Article – Public Safety**

20 3–502.

21 (a) In this section, “police officer” means a member of:

22 (1) a police force of this State or another state;

23 (2) a police force of a county or municipal corporation of this State or
24 another state;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) the United States Secret Service Uniformed Division;

2 (4) the United States Park Police;

3 (5) the Federal Bureau of Investigation;

4 (6) the Drug Enforcement Administration; [or]

5 **(7) THE WMATA METRO TRANSIT POLICE, SUBJECT TO THE**
6 **JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON**
7 **METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN**
8 **§ 10-204 OF THE TRANSPORTATION ARTICLE; OR**

9 **[(7)] (8)** a division of a federal agency the primary duties of which
10 are the investigation, apprehension, or detention of individuals suspected or convicted
11 of federal crimes.

12 (b) A person may not, with fraudulent design on person or property, falsely
13 represent that the person is a police officer, special police officer, sheriff, deputy
14 sheriff, or constable.

15 (c) Except as provided in subsection (e) of this section, a person may not
16 have, use, wear, or display a uniform, shield, button, ornament, badge, identification,
17 or shoulder patch adopted by the Department of State Police to be worn by its
18 members, insignia, or emblem of office, as is worn by a police officer, sheriff, deputy
19 sheriff, or constable.

20 (d) A person may not, for the purpose of deception, have a simulation or
21 imitation of an article described in subsection (c) of this section as is worn by a police
22 officer, sheriff, deputy sheriff, or constable.

23 (e) A person may have, use, wear, or display an article described in
24 subsection (c) of this section with the appropriate authority of:

25 (1) the Secretary of State Police;

26 (2) a police force of another state;

27 (3) the Police Commissioner of Baltimore City;

28 (4) the chief of police of a county or municipal corporation of this State
29 or another state;

30 (5) a sheriff or deputy sheriff;

- 1 (6) a constable;
- 2 (7) the United States Secret Service Uniformed Division;
- 3 (8) the United States Park Police;
- 4 (9) the Federal Bureau of Investigation;
- 5 (10) the Drug Enforcement Administration; [or]

6 **(11) THE WMATA METRO TRANSIT POLICE, SUBJECT TO THE**
7 **JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON**
8 **METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN**
9 **§ 10-204 OF THE TRANSPORTATION ARTICLE; OR**

10 **[(11)] (12)** a division of a federal agency the primary duties of which
11 are the investigation, apprehension, or detention of individuals suspected or convicted
12 of federal crimes.

13 (f) A person who violates this section is guilty of a misdemeanor and on
14 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding
15 \$2,000 or both.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2012.