

HOUSE BILL 785

E4
HB 918/15 – JUD

6lr0956
CF SB 233

By: Delegates Anderson, Anderton, Arentz, Atterbeary, Barkley, Barron, Beidle, Bromwell, Brooks, Carey, Carter, Cluster, Conaway, Cullison, Fisher, Folden, Fraser–Hidalgo, Glass, Glenn, Grammer, Haynes, Hill, Holmes, Jackson, Jacobs, Kipke, Kittleman, Knotts, Kramer, Lafferty, Lam, Malone, Mautz, McComas, McCray, McKay, Metzgar, Moon, Morales, Morgan, O'Donnell, Oaks, Pena–Melnyk, Reilly, Rey, B. Robinson, Sanchez, Shoemaker, Simonaire, Smith, Sydnor, Szeliga, Valderrama, Valentino–Smith, Vallario, Vaughn, M. Washington, West, B. Wilson, and C. Wilson

Introduced and read first time: February 8, 2016
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 2016

CHAPTER _____

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 2015 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 3–201(a)
 2 Annotated Code of Maryland
 3 (2011 Replacement Volume and 2015 Supplement)

4 BY adding to
 5 Article – Public Safety
 6 Section 3–201(e) and 3–207(18)
 7 Annotated Code of Maryland
 8 (2011 Replacement Volume and 2015 Supplement)

9 BY repealing and reenacting, with amendments,
 10 Article – Public Safety
 11 Section 3–207(17) and (18)
 12 Annotated Code of Maryland
 13 (2011 Replacement Volume and 2015 Supplement)

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

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

19 **Article – Public Safety**

20 3–201.

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

22 **(E) “MOTORCYCLE PROFILING” MEANS THE ARBITRARY USE OF THE FACT**
 23 **THAT AN INDIVIDUAL RIDES A MOTORCYCLE OR WEARS MOTORCYCLE–RELATED**
 24 **CLOTHING OR PARAPHERNALIA AS A FACTOR IN DECIDING TO STOP, QUESTION,**
 25 **TAKE ENFORCEMENT ACTION, ARREST, OR SEARCH THE INDIVIDUAL OR VEHICLE.**

26 3–207.

27 Subject to the authority of the Secretary, the Commission has the following powers
 28 and duties:

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

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

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

3 (18) TO REQUIRE:

4 (I) A STATEMENT CONDEMNING MOTORCYCLE PROFILING TO
5 BE INCLUDED IN EXISTING WRITTEN POLICIES REGARDING OTHER PROFILING; AND

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

13 [(18)] (19) to perform any other act that is necessary or appropriate to carry
14 out the powers and duties of the Commission under this subtitle.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.