

Chapter 287

(House Bill 917)

AN ACT concerning

Motor Vehicles – Checkpoints – Prohibition on Targeting Motorcycles

FOR the purpose of prohibiting a police officer at a motor vehicle checkpoint from targeting only motorcycles for inspection or evaluation; creating a certain exception to the prohibition for a police officer at a motor vehicle checkpoint established as part of a police search or investigation; providing for the construction of a certain provision of law governing obedience to a lawful order or direction of a police officer; defining a certain term; and generally relating to inspections or evaluations at motor vehicle checkpoints.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–103
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Transportation
Section 25–114
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

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

Article – Transportation

21–103.

(a) **(1)** A person may not willfully disobey any lawful order or direction of any police officer.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO AUTHORIZE A POLICE OFFICER AT A MOTOR VEHICLE CHECKPOINT, AS DEFINED IN § 25–114 OF THIS ARTICLE, TO TARGET ONLY MOTORCYCLES FOR INSPECTION OR EVALUATION, EXCEPT AS APPROPRIATE AT A POLICE CHECKPOINT ESTABLISHED AS PART OF A POLICE SEARCH OR INVESTIGATION.

(b) (1) A police officer may summon witnesses to testify under oath on any charge brought under the Maryland Vehicle Law.

- (2) A person may not willfully disobey a summons.

25-114.

(A) IN THIS SECTION, “CHECKPOINT” MEANS A PREDETERMINED FIXED LOCATION AT WHICH A POLICE OFFICER STOPS A MOTOR VEHICLE OR A SPECIFIC SEQUENCE OF MOTOR VEHICLES TO CONDUCT SAFETY INSPECTIONS, INSPECT DRIVERS’ LICENSES OR REGISTRATIONS, OR EVALUATE DRIVERS FOR IMPAIRMENT.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A POLICE OFFICER AT A MOTOR VEHICLE CHECKPOINT MAY NOT TARGET ONLY MOTORCYCLES FOR INSPECTION OR EVALUATION.

(C) A POLICE OFFICER AT A MOTOR VEHICLE CHECKPOINT ESTABLISHED AS PART OF A POLICE SEARCH OR INVESTIGATION MAY TARGET MOTORCYCLES AS APPROPRIATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.