

SENATE BILL 182

R2

3lr0582

By: **Senators Brochin and Kittleman**

Introduced and read first time: January 17, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration – Activation of Audio Recording Devices on**
3 **Vehicles Used for Transit Service – Prohibition**

4 FOR the purpose of prohibiting the Maryland Transit Administration, on certain
5 transit service vehicles equipped with an audio recording device, from activating
6 the audio recording device; requiring the Administration to post a certain notice
7 on each vehicle equipped with an audio recording device; and generally relating
8 to audio recording devices on vehicles used by the Maryland Transit
9 Administration to provide transit service.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 7–101(l) and (n)
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2012 Supplement)

15 BY adding to
16 Article – Transportation
17 Section 7–705.1
18 Annotated Code of Maryland
19 (2008 Replacement Volume and 2012 Supplement)

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

22 **Article – Transportation**

23 7–101.

24 (l) “Transit facility” includes any one or more or combination of tracks,
25 rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, ports,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 parking areas, equipment, fixtures, buildings, structures, other real or personal
2 property, and services incidental to or useful or designed for use in connection with the
3 rendering of transit service by any means, including rail, bus, motor vehicle, or other
4 mode of transportation, but does not include any railroad facility.

5 (n) (1) "Transit service" means the transportation of persons and their
6 packages and baggage and of newspapers, express, and mail in regular route, special,
7 or charter service by means of transit facilities between points within the District.

8 (2) "Transit service" does not include any:

9 (i) Taxicab service;

10 (ii) Vanpool operation; or

11 (iii) Railroad service.

12 **7-705.1.**

13 (A) IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT
14 SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF
15 RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE
16 VEHICLE'S PASSENGERS, THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO
17 RECORDING DEVICE.

18 (B) THE ADMINISTRATION SHALL POST ON EACH TRANSIT SERVICE
19 VEHICLE EQUIPPED WITH AN AUDIO RECORDING DEVICE A CLEARLY VISIBLE
20 NOTICE STATING THAT:

21 (1) THE VEHICLE IS EQUIPPED WITH AN AUDIO RECORDING
22 DEVICE; BUT

23 (2) THE AUDIO RECORDING DEVICE IS NOT IN OPERATION AND
24 PASSENGERS' CONVERSATIONS ARE NOT BEING RECORDED.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2013.