

# SENATE BILL 508

E4, F1, R4

8lr0938

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By: **Senators Waugh and Conway**

Introduced and read first time: January 29, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Interaction With Law Enforcement Officers – Development and Implementation**  
3 **of Curriculum Content**

4 FOR the purpose of requiring the State Board of Education to develop curriculum content  
5 relating to interaction between individuals and law enforcement officers to be  
6 included in a certain course on or before a certain date; requiring each county board  
7 of education to implement certain curriculum content developed by the State Board  
8 in each high school in the county on or before a certain date; authorizing a county  
9 board of education to develop certain additional curriculum content under certain  
10 circumstances; requiring the Police Training and Standards Commission to require  
11 that certain entrance–level and in–service training conducted by the State and each  
12 county and municipal police training school include certain training relating to  
13 interaction between individuals and law enforcement officers; requiring the  
14 Commission, the State Board, and the Motor Vehicle Administration to enter into a  
15 certain memorandum of understanding to develop certain curriculum content for  
16 individuals and law enforcement officers; requiring the Commission, the State  
17 Board, and the Administration to develop certain curriculum content in consultation  
18 with certain entities and agencies; requiring that certain curriculum content include  
19 certain information; authorizing the Commission, the State Board, and the  
20 Administration to receive information from certain persons in developing the  
21 curriculum content; requiring the Commission, the State Board, and the  
22 Administration to provide an opportunity for public comment before finalizing  
23 certain curriculum content; providing that a driver’s license examination shall  
24 require an applicant to demonstrate the applicant’s ability to take proper actions  
25 during a traffic stop; requiring the Administration to include certain content in the  
26 standardized driver education program curriculum developed by the Administration;  
27 defining certain terms; making conforming changes; and generally relating to the  
28 development and implementation of curriculum content pertaining to interaction  
29 with law enforcement officers.

30 BY adding to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education  
2 Section 7–205.4  
3 Annotated Code of Maryland  
4 (2014 Replacement Volume and 2017 Supplement)

5 BY repealing and reenacting, with amendments,  
6 Article – Public Safety  
7 Section 3–207(a)(23) and (24)  
8 Annotated Code of Maryland  
9 (2011 Replacement Volume and 2017 Supplement)

10 BY adding to  
11 Article – Public Safety  
12 Section 3–207(a)(25) and 3–219  
13 Annotated Code of Maryland  
14 (2011 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Transportation  
17 Section 16–110(a)  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2017 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article – Transportation  
22 Section 16–110(c) and 16–505  
23 Annotated Code of Maryland  
24 (2012 Replacement Volume and 2017 Supplement)

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

27 **Article – Education**

28 **7–205.4.**

29 **(A) (1) ON OR BEFORE SEPTEMBER 1, 2019, THE STATE BOARD SHALL**  
30 **DEVELOP CURRICULUM CONTENT, TO BE INCLUDED IN A COURSE REQUIRED FOR**  
31 **GRADUATION, RELATING TO THE PROPER INTERACTION BETWEEN INDIVIDUALS**  
32 **AND LAW ENFORCEMENT OFFICERS.**

33 **(2) THE CURRICULUM CONTENT DEVELOPED UNDER PARAGRAPH (1)**  
34 **OF THIS SUBSECTION SHALL INCLUDE INFORMATION, CONSISTENT WITH THE**  
35 **CURRICULUM DEVELOPED UNDER § 3–219 OF THE PUBLIC SAFETY ARTICLE,**  
36 **REGARDING:**

1 (I) THE DUTIES, RESPONSIBILITIES, AND ROLES OF LAW  
2 ENFORCEMENT OFFICERS;

3 (II) THE RIGHTS OF INDIVIDUALS WHEN INTERACTING WITH  
4 LAW ENFORCEMENT OFFICERS;

5 (III) THE PROPER BEHAVIOR FOR INDIVIDUALS AND LAW  
6 ENFORCEMENT OFFICERS DURING INTERACTIONS BETWEEN INDIVIDUALS AND LAW  
7 ENFORCEMENT OFFICERS;

8 (IV) LAWS PERTAINING TO THE QUESTIONING AND DETENTION  
9 OF INDIVIDUALS BY LAW ENFORCEMENT OFFICERS, INCLUDING INFORMATION  
10 ABOUT:

11 1. WHEN AN INDIVIDUAL MAY BE REQUIRED TO DISPLAY  
12 PROOF OF THE INDIVIDUAL'S IDENTITY TO A LAW ENFORCEMENT OFFICER; AND

13 2. POTENTIAL CONSEQUENCES FOR AN INDIVIDUAL OR  
14 A LAW ENFORCEMENT OFFICER WHO FAILS TO COMPLY WITH LAWS PERTAINING TO  
15 QUESTIONING AND DETENTION; AND

16 (V) THE PROCESS AND PROCEDURE FOR FILING A COMPLAINT  
17 AGAINST OR A COMPLIMENT ABOUT A LAW ENFORCEMENT OFFICER.

18 (B) ON OR BEFORE SEPTEMBER 1, 2020, EACH COUNTY BOARD SHALL  
19 IMPLEMENT THE CURRICULUM CONTENT DEVELOPED BY THE STATE BOARD UNDER  
20 SUBSECTION (A) OF THIS SECTION IN EACH HIGH SCHOOL IN THE COUNTY.

21 (C) IN ADDITION TO THE CURRICULUM CONTENT IMPLEMENTED UNDER  
22 SUBSECTION (B) OF THIS SECTION, A COUNTY BOARD MAY DEVELOP SUPPLEMENTAL  
23 CURRICULUM CONTENT THAT:

24 (1) IS RELEVANT TO THE COUNTY IN WHICH THE CURRICULUM  
25 CONTENT IS BEING TAUGHT; AND

26 (2) HAS BEEN DEVELOPED IN CONSULTATION WITH A LAW  
27 ENFORCEMENT AGENCY LOCATED IN THE COUNTY WHERE THE CURRICULUM  
28 CONTENT IS BEING TAUGHT.

29 Article – Public Safety

30 3–207.

31 (a) The Commission has the following powers and duties:

1 (23) to perform any other act, including adopting regulations, that is  
 2 necessary or appropriate to carry out the powers and duties of the Commission under this  
 3 subtitle; [and]

4 (24) to consult and cooperate with commanders of SWAT teams to develop  
 5 standards for training and deployment of SWAT teams and of law enforcement officers who  
 6 are not members of a SWAT team who conduct no-knock warrant service in the State based  
 7 on best practices in the State and nationwide; AND

8 **(25) TO REQUIRE FOR ENTRANCE-LEVEL POLICE TRAINING, AND AT**  
 9 **LEAST EVERY 2 YEARS FOR IN-SERVICE LEVEL POLICE TRAINING CONDUCTED BY**  
 10 **THE STATE AND EACH COUNTY AND MUNICIPAL POLICE TRAINING SCHOOL, THAT**  
 11 **THE CURRICULUM AND MINIMUM COURSES OF STUDY INCLUDE, CONSISTENT WITH**  
 12 **§ 3-219 OF THIS SUBTITLE, TRAINING IN:**

13 **(I) THE RIGHTS OF INDIVIDUALS WHEN INTERACTING WITH**  
 14 **LAW ENFORCEMENT OFFICERS;**

15 **(II) THE PROPER BEHAVIOR FOR INDIVIDUALS AND LAW**  
 16 **ENFORCEMENT OFFICERS DURING INTERACTIONS BETWEEN INDIVIDUALS AND LAW**  
 17 **ENFORCEMENT OFFICERS;**

18 **(III) LAWS PERTAINING TO THE QUESTIONING AND DETENTION**  
 19 **OF INDIVIDUALS BY LAW ENFORCEMENT OFFICERS, INCLUDING INFORMATION**  
 20 **ABOUT:**

21 **1. WHEN AN INDIVIDUAL MAY BE REQUIRED TO DISPLAY**  
 22 **PROOF OF THE INDIVIDUAL'S IDENTITY TO A LAW ENFORCEMENT OFFICER; AND**

23 **2. POTENTIAL CONSEQUENCES FOR AN INDIVIDUAL OR A**  
 24 **LAW ENFORCEMENT OFFICER WHO FAILS TO COMPLY WITH LAWS PERTAINING TO**  
 25 **QUESTIONING AND DETENTION; AND**

26 **(IV) THE PROCESS AND PROCEDURE FOR FILING A COMPLAINT**  
 27 **AGAINST OR A COMPLIMENT ABOUT A LAW ENFORCEMENT OFFICER.**

28 **3-219.**

29 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
 30 **INDICATED.**

31 **(2) "ADMINISTRATION" MEANS THE MOTOR VEHICLE**  
 32 **ADMINISTRATION.**

1           **(3) “STATE BOARD” MEANS THE STATE BOARD OF EDUCATION.**

2           **(B) (1) THE COMMISSION, THE STATE BOARD, AND THE**  
3 **ADMINISTRATION SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING TO**  
4 **DEVELOP CURRICULUM CONTENT FOR INDIVIDUALS AND LAW ENFORCEMENT**  
5 **OFFICERS PERTAINING TO THE PROPER INTERACTION BETWEEN INDIVIDUALS AND**  
6 **LAW ENFORCEMENT OFFICERS DURING TRAFFIC STOPS AND OTHER IN-PERSON**  
7 **ENCOUNTERS.**

8           **(2) THE COMMISSION, THE STATE BOARD, AND THE**  
9 **ADMINISTRATION SHALL DEVELOP THE CURRICULUM CONTENT IN CONSULTATION**  
10 **WITH:**

11                   **(I) THE MARYLAND COMMISSION ON CIVIL RIGHTS;**

12                   **(II) THE OFFICE OF THE PUBLIC DEFENDER;**

13                   **(III) THE MARYLAND STATE’S ATTORNEYS’ ASSOCIATION; AND**

14                   **(IV) THE AMERICAN CIVIL LIBERTIES UNION.**

15           **(3) THE CURRICULUM CONTENT DEVELOPED UNDER THIS SECTION**  
16 **SHALL INCLUDE INFORMATION REGARDING:**

17                   **(I) THE DUTIES, RESPONSIBILITIES, AND ROLES OF LAW**  
18 **ENFORCEMENT OFFICERS;**

19                   **(II) THE RIGHTS OF INDIVIDUALS WHEN INTERACTING WITH**  
20 **LAW ENFORCEMENT OFFICERS;**

21                   **(III) THE PROPER BEHAVIOR FOR INDIVIDUALS AND LAW**  
22 **ENFORCEMENT OFFICERS DURING INTERACTIONS BETWEEN INDIVIDUALS AND LAW**  
23 **ENFORCEMENT OFFICERS;**

24                   **(IV) LAWS PERTAINING TO THE QUESTIONING AND DETENTION**  
25 **OF INDIVIDUALS BY LAW ENFORCEMENT OFFICERS, INCLUDING INFORMATION**  
26 **ABOUT:**

27                           **1. WHEN AN INDIVIDUAL MAY BE REQUIRED TO DISPLAY**  
28 **PROOF OF THE INDIVIDUAL’S IDENTITY TO A LAW ENFORCEMENT OFFICER; AND**

29                           **2. POTENTIAL CONSEQUENCES FOR AN INDIVIDUAL OR A**

1 LAW ENFORCEMENT OFFICER WHO FAILS TO COMPLY WITH LAWS PERTAINING TO  
2 QUESTIONING AND DETENTION; AND

3 (V) THE PROCESS AND PROCEDURE FOR FILING A COMPLAINT  
4 AGAINST OR A COMPLIMENT ABOUT A LAW ENFORCEMENT OFFICER.

5 (4) (I) THE COMMISSION, STATE BOARD, AND ADMINISTRATION  
6 MAY RECEIVE INFORMATION FROM ANY INTERESTED PARTY IN DEVELOPING  
7 CURRICULUM CONTENT UNDER THIS SECTION.

8 (II) BEFORE FINALIZING CURRICULUM CONTENT DEVELOPED  
9 UNDER THIS SECTION, THE COMMISSION, STATE BOARD, AND ADMINISTRATION  
10 SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT.

11 **Article – Transportation**

12 16–110.

13 (a) The Administration shall:

14 (1) Establish qualifications for the safe operation of the various classes,  
15 types, sizes, or combinations of vehicles; and

16 (2) Examine each applicant to determine the applicant's qualifications for  
17 the license class applied for.

18 (c) The examination shall include:

19 (1) A test of the applicant's:

20 (i) Vision;

21 (ii) Ability to read and understand highway signs regulating,  
22 warning, and directing traffic; and

23 (iii) Knowledge of the traffic laws of this State and safe driving  
24 practices;

25 (2) A demonstration of the applicant's ability to [exercise]:

26 (I) EXERCISE reasonable control in driving a motor vehicle; and

27 (II) TAKE PROPER ACTIONS DURING A TRAFFIC STOP; AND

28 (3) Any other additional physical or mental examination that the

1 Administration considers necessary to determine an applicant's fitness to drive a motor  
2 vehicle safely.

3 16-505.

4 (a) The Administration shall, in consultation with the State Department of  
5 Education, adopt and enforce regulations not inconsistent with this subtitle to implement  
6 a standardized driver education program conducted by driver education schools under its  
7 jurisdiction.

8 (b) Regulations adopted under this section shall be administered by the  
9 Administration and shall include:

10 (1) Curriculum, equipment, and facility standards for classroom,  
11 laboratory, and on-road instruction phases;

12 (2) Minimum student performance standards for an approved driver  
13 education program based upon the standardized curriculum approved by the  
14 Administration, consisting of at least 30 hours of classroom instruction and at least 6 hours  
15 of highway driving instruction;

16 (3) Standards for the certification of schools and instructors;

17 (4) A system to evaluate the effectiveness of the driver education program;

18 (5) Standards governing the required offering of the driver education  
19 program, based on the capacity, enrollment, staff, and facilities of the schools; and

20 (6) Standards for the eligibility of individuals to enroll in the program.

21 **(C) THE CURRICULUM ADOPTED UNDER SUBSECTION (B) OF THIS SECTION**  
22 **SHALL INCLUDE, CONSISTENT WITH § 3-219 OF THE PUBLIC SAFETY ARTICLE:**

23 **(1) A DEMONSTRATION OF THE PROPER ACTIONS TO BE TAKEN BY A**  
24 **DRIVER DURING A TRAFFIC STOP; AND**

25 **(2) INFORMATION REGARDING:**

26 **(I) THE DUTIES, RESPONSIBILITIES, AND ROLES OF LAW**  
27 **ENFORCEMENT OFFICERS;**

28 **(II) THE RIGHTS OF INDIVIDUALS WHEN INTERACTING WITH**  
29 **LAW ENFORCEMENT OFFICERS;**

30 **(III) THE PROPER BEHAVIOR FOR INDIVIDUALS AND LAW**  
31 **ENFORCEMENT OFFICERS DURING INTERACTIONS BETWEEN INDIVIDUALS AND LAW**

1 ENFORCEMENT OFFICERS;

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3 OF INDIVIDUALS BY LAW ENFORCEMENT OFFICERS, INCLUDING INFORMATION  
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7 2. POTENTIAL CONSEQUENCES FOR AN INDIVIDUAL OR  
8 A LAW ENFORCEMENT OFFICER WHO FAILS TO COMPLY WITH LAWS PERTAINING TO  
9 QUESTIONING AND DETENTION; AND

10 (V) THE PROCESS AND PROCEDURE FOR FILING A COMPLAINT  
11 AGAINST OR A COMPLIMENT ABOUT A LAW ENFORCEMENT OFFICER.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2018.