

# SENATE BILL 75

R7

3lr0046

(PRE-FILED)

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration – Investigative Division – Issuance of Citations**

3 FOR the purpose of authorizing an employee of the Investigative Division of the Motor  
4 Vehicle Administration to issue citations to the same extent as a police officer  
5 under certain circumstances; altering the violations for which an employee of  
6 the Investigative Division may issue a citation under certain circumstances;  
7 making certain stylistic changes; and generally relating to the authority of  
8 employees of the Investigative Division of the Motor Vehicle Administration to  
9 issue citations.

10 BY repealing and reenacting, without amendments,  
11 Article – Transportation  
12 Section 11–147  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume)

15 BY repealing and reenacting, with amendments,  
16 Article – Transportation  
17 Section 12–104.1  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume)

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 11–147.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 “Police officer” means an officer authorized to direct or regulate traffic or to  
2 make arrests for violations of any of the provisions of the Maryland Vehicle Law or of  
3 local or other traffic laws or regulations.

4 12–104.1.

5 (a) The Administrator may designate employees of the Investigative Division  
6 of the Administration to exercise the powers specified in subsection (b) of this section.

7 (b) (1) An employee appointed under this section may issue citations to  
8 the **SAME** extent **AS A POLICE OFFICER IF** authorized by the Administration, for  
9 violations of:

10 (i) **[Those] THE** provisions of Title 13 of this article **[relating**  
11 **to:**

12 1. The vehicle excise tax;

13 2. Vehicle titling and registration;

14 3. Special registration plates for individuals with  
15 disabilities; and

16 4. Parking permits for individuals with disabilities];

17 (ii) **[Those] THE** provisions of Title 17 of this article relating to  
18 required security;

19 (iii) **[Those] THE** provisions of Title 14 of this article relating to  
20 falsified, altered, or forged documents and plates;

21 (iv) **[Those] THE** provisions of Title 16 of this article relating to  
22 unlawful application for a license, **[and]** vehicle operation during periods of  
23 cancellation, revocation, and suspension of a driver’s license, **AND DUPLICATION OR**  
24 **REPRODUCTION OF AN IDENTIFICATION CARD OR DRIVER’S LICENSE;**

25 (v) **[Those] THE** provisions of Title 21 of this article relating to  
26 special residential parking permits issued by the Administration;

27 (vi) **[Those provisions of §§ 15–113 and 15–113.1 of this article**  
28 **relating to maintenance of and access to required business records;**

29 (vii) **Those] THE** provisions of Title 15 of this article **[relating to**  
30 **unlicensed business activity; and];**

1                                   **(VII) THE PROVISIONS OF § 22-415 OF THIS ARTICLE**  
2 **RELATING TO ODOMETERS; AND**

3                                   (viii) **[Those] THE** provisions of this title relating to the issuance  
4 of an identification card.

5                                   (2)     The issuance of citations under this section shall comply with the  
6 requirements of § 26-201 of this article.

7                                   (c)     The Administration shall adopt regulations establishing:

8                                   (1)     Qualifications for employees appointed under this section including  
9 prerequisites of character, training, experience, and education; and

10                                  (2)     Standards for the performance of the duties assigned to employees  
11 appointed under this section.

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