

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 13-101

*** Statutes current through the 2013 General Assembly Regular Session with updates for sections effective through June 1, 2013 ***

BUSINESS OCCUPATIONS AND PROFESSIONS

TITLE 13. PRIVATE DETECTIVES

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 13-101 (2013)

§ 13-101. Definitions

- (a) In general. -- In this title the following words have the meanings indicated.
- (b) Central Repository. -- "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.
- (c) Certification card. -- "Certification card" means a card issued by the Secretary under § 13-406 of this title to an individual certified as a private detective.
- (d) Firm. -- "Firm" means a partnership or corporation.
- (e) Firm member. -- "Firm member" means a partner of a partnership or an officer or director of a corporation.
- (f) License. -- "License" means, unless the context requires otherwise, a license issued by the Secretary to conduct a business to provide private detective services.
- (g) Licensed private detective agency. -- "Licensed private detective agency" means, unless the context requires otherwise, a person who is licensed by the Secretary to conduct a business that provides private detective services.
- (h) Private detective. -- "Private detective" means an individual who personally provides private detective services.
- (i) Private detective agency. -- "Private detective agency" means a person who conducts a business that provides private detective services.
- (j) Provide private detective services. --
 - (1) "Provide private detective services" means to provide, for compensation, the service of:
 - (i) conducting an investigation that concerns:
 - 1. a crime or wrong committed, assumed to have been committed, or threatened to be committed;

2. the identity, habits, conduct, movement, location, affiliations, associations, transactions, reputation, or character of any person;

3. the credibility of a witness or of any other individual;

4. the location of a missing individual;

5. the location or recovery of lost or stolen property;

6. the origin or cause of or responsibility for:

A. a fire;

B. an accident;

C. any damage to or loss of property; or

D. an injury to an individual;

7. the affiliation, connection, or relation of any person with an organization or other person; or

8. the activities, conduct, efficiency, loyalty, or honesty of any employee, agent, contractor, or subcontractor;

(ii) securing evidence for use before any investigating committee, board of award, or board of arbitration or for use in the trial of any civil or criminal cause;

(iii) nonuniformed personal protection; or

(iv) conducting an investigation to locate or apprehend a fugitive from justice, unless the person:

1. conducting the investigation is a property bail bondsman or licensed by the Insurance Commissioner of the State or a similar licensing body of another state as a bail bondsman;

2. is an employee of a property bail bondsman or a licensed bail bondsman for the purpose of locating or apprehending fugitives from justice; or

3. is authorized as an agent by a property bail bondsman or licensed bail bondsman in advance of the apprehension of a fugitive from justice.

(2) "Provide private detective services" does not include:

(i) performing any activity of a person who is engaged exclusively in the business of making investigations and reports that relate to the financial standing, creditworthiness, or financial responsibility of any person;

(ii) performing any activity of a person who is engaged exclusively in the business of making a report for an insurance or credit purpose, except if the making of the report involves an investigation or surveillance of a sort normally performed by a person who otherwise is subject to this title;

(iii) monitoring an electronically controlled burglar or fire alarm system with a central unit; or

(iv) making a marketing survey.

(k) Representative member. -- "Representative member" means a firm member who is appointed under § 13-302(b) of this title to act on behalf of the firm.

(l) Secretary. -- "Secretary" means the Secretary of State Police.