

(3) The police department, bureau, or force of any county;

(4) The police department, bureau, or force of any incorporated city or town;

(5) The office of the sheriff of any county;

(6) The police department, bureau, or force of any bicounty agency or the University of Maryland;

(7) The State Aviation Administration police force of the Department of Transportation, the Mass Transit Administration police force of the Department of Transportation, the Maryland toll facilities police force of the Maryland Transportation Authority, and the Maryland Port Administration police force of the Department of Transportation;

(8) The police officers of the Department of Natural Resources; or

(9) The Maryland Alcohol and Tobacco Tax Enforcement Unit.

(c) "Law-enforcement officer" does not include an officer serving in a probationary status except when allegations of brutality in the execution of his or her duties are made involving an officer who is in a probationary status. The provisions of this subtitle do not apply to persons serving at the pleasure of the Police Commissioner of Baltimore City or the appointing authority of a charter county or to a police chief of any incorporated city or town. The term "probationary status" includes only an officer who is in that status upon initial entry into the Department. ~~EXCEPT FOR § 728(A) OF THIS SUBTITLE, THIS SUBTITLE DOES NOT APPLY TO ANY INDIVIDUAL HOLDING THE RANK OF CAPTAIN OR ANY HIGHER RANK.~~

(d) "Hearing boards" mean

(1) A board which is authorized by the chief to hold a hearing on a complaint against a law-enforcement officer and which consists of not less than three members, except as provided in paragraph (2) of this subsection, all to be appointed by the chief and selected from law-enforcement officers within that agency, or law-enforcement officers of another agency with the approval of the chief of the other agency, and who have had no part in the investigation or interrogation of the law-enforcement officer. At least one member of the hearing board shall be of the same rank as the law-enforcement officer against whom the complaint has been filed.

(2) If a law-enforcement officer is offered summary punishment imposed pursuant to § 734A and refuses, the chief may convene a one-member or more hearing board and the hearing board