

command established by rule. "Grade" means the status of one or more police employees having the same primary areas of duty and responsibility within a rank.

(9) "Rule" means any rule, regulation, order or other directive adopted by the Superintendent pursuant to this article. A rule is not for any purpose a rule within the meaning of Title 10, Subtitle 1 of the State Government Article.

(10) "OBSOLETE RANK" MEANS ~~THE RANK OF SECOND LIEUTENANT AND ANY RANK DESIGNATED BY THE SUPERINTENDENT UNDER § 19 OF THIS ARTICLE~~ TO WHICH NO FURTHER PROMOTIONS WILL BE MADE.

19.

(a) All promotions shall be made by the Superintendent.

(b) [No] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, NO police employee shall be appointed or promoted to any rank[,] except one which requires technical knowledge, unless [he shall have] THE EMPLOYEE IS BYPASSING AN OBSOLETE RANK AND CURRENTLY FILLS THE RANK IMMEDIATELY BELOW THE RANK THAT HAS BEEN DECLARED OBSOLETE, OR HAS filled the rank immediately below that to which he is promoted; but as to any noncommissioned rank which contains less than twenty-five police employees, the Superintendent may by rule direct that it is unnecessary to fill such rank for purposes of promotion. Promotion to any noncommissioned rank shall be made in the manner prescribed by rule. Promotion to any commissioned rank, except deputy superintendent, shall be made from among those persons appearing in any position on a list of eligible persons prepared by the State Commissioner of Personnel in accordance with the merit system.

(c) Notwithstanding any other provisions of law the Superintendent may appoint, without examination, any police employee holding a commissioned rank to the rank of major and any police employee holding a commissioned rank of not less than captain to the rank of lieutenant colonel. A police employee appointed in accordance with this provision shall continue to serve at the Superintendent's pleasure. Upon termination of an appointment by the Superintendent under this subsection, the police employee may return to the rank held prior to the appointment or to a higher rank to which he has become eligible for promotion during his appointment, notwithstanding any other provision of law.

(D) INCUMBENT EMPLOYEES WITHIN AN OBSOLETE RANK WILL REMAIN UNTIL PROMOTED, DEMOTED, RETIRED, OR TERMINATED.

[(d)] (E) Promotions of civilian employees shall be made in the manner provided by the merit system.