

(E) "MOTOR CARRIER" MEANS A COMMON CARRIER BY MOTOR VEHICLE, CONTRACT CARRIER BY MOTOR VEHICLE, AND PRIVATE CARRIER BY MOTOR VEHICLE THAT CARRIES A HAZARDOUS MATERIAL IN COMMERCE.

3-1102.

(A) A MOTOR CARRIER IS RESPONSIBLE FOR THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT BY A PAID FIRE DEPARTMENT IF THE MOTOR CARRIER:

(1) TRANSPORTS A HAZARDOUS MATERIAL IN COMMERCE ON A HIGHWAY IN THE STATE; AND

(2) IS AT FAULT IN AND CAUSES A TRAFFIC ACCIDENT IN THE STATE THAT RESULTS IN:

(I) A SPILL OR DISCHARGE OF HAZARDOUS MATERIALS; AND

(II) AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT BY THE PAID FIRE DEPARTMENT.

~~(B) -- THE -- REASONABLE -- EXPENSE -- OF -- AN -- EMERGENCY -- RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT UNDER SUBSECTION (A) OF THIS SECTION IS A DEBT AGAINST THE RESPONSIBLE MOTOR CARRIER.~~

3-1103.

(A) A MOTOR CARRIER THAT IS AT FAULT IN AND CAUSES A TRAFFIC ACCIDENT THAT RESULTS IN A SPILL OR DISCHARGE OF HAZARDOUS MATERIALS SHALL NEGOTIATE IN GOOD FAITH TO REIMBURSE A PAID FIRE DEPARTMENT FOR ITS THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT INVOLVING THE HAZARDOUS MATERIALS IN THE TRAFFIC ACCIDENT.

(B) IF THE NEGOTIATIONS UNDER SUBSECTION (A) OF THIS SECTION DO NOT RESOLVE THE DISPUTE TO THE SATISFACTION OF THE PARTIES, A PAID DEPARTMENT MAY FILE SUIT AGAINST THE MOTOR CARRIER IN A COURT OF COMPETENT JURISDICTION IN THE STATE.

3-1104.

~~AS PROVIDED IN ARTICLE -- 41, -- § -- 4-103.1 -- OF -- THE -- CODE, -- THE ATTORNEY -- GENERAL -- AND COUNSEL -- TO -- THE DEPARTMENT -- OF -- PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL ASSIST A PAID FIRE DEPARTMENT, ON REQUEST, IN THE NEGOTIATIONS AND IN THE FILING OF A COURT SUIT TO OBTAIN REIMBURSEMENT UNDER § 3-1103 -- OF -- THIS -- SUBTITLE -- FOR -- THE EXPENSE -- OF -- AN -- EMERGENCY -- RESPONSE, -- CONTAINMENT, -- CLEANUP, -- AND ABATEMENT.~~

3-1105.