

(c) (1) An owner or lessee of an emergency vehicle, including a political subdivision, is liable to the extent provided in [subsection (d) of this section] ~~TITLE 5, SUBTITLE 3 § 5-399.5(C)~~ OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE for any damages caused by a negligent act or omission of an authorized operator while operating the emergency vehicle in the performance of emergency service as defined in subsection (a) of this section.

(2) [This subsection does not subject an owner or lessee to liability for the operator's malicious act or omission or for the operator's gross negligence.

(3) A political subdivision may not raise the defense of governmental immunity in an action against it under this section] AN OWNER OR LESSEE OF AN EMERGENCY VEHICLE, INCLUDING A POLITICAL SUBDIVISION, SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3 § 5-399.5(C)~~ OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

(d) [Liability under this section for self-insured jurisdictions is limited to the amount of the minimum benefits that a vehicle liability insurance policy must provide under § 17-103 of this article, except that an owner or lessee may be liable in an amount up to the maximum limit of any basic vehicle liability insurance policy it has in effect exclusive of excess liability coverage.

(e) A judgment under this section against the owner or lessee of an emergency vehicle constitutes a complete bar to any action or judgment deriving from the same occurrence against the operator of the emergency vehicle] A SELF-INSURED JURISDICTION SHALL HAVE THE IMMUNITY FROM LIABILITY UNDER THIS SECTION AS DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3 § 5-399.5(D)~~ OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of this Act are intended only to consolidate the current provisions on immunities, limitations on liability, and other prohibited actions in the Annotated Code of Maryland and to make stylistic changes, and there is no intent to alter substantively any statutory or common-law immunities, limitations on liability, or prohibited actions.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the approval of the Revisor of Statutes, the publishers of the Annotated Code of Maryland shall propose the correction of cross-references that are rendered incorrect by this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1990.

Approved May 29, 1990.