

CHAPTER 341

(House Bill 512)

AN ACT concerning

Caves

FOR the purpose of setting forth regulations regarding the use of caves; defining certain terms; prohibiting certain actions; allowing for permits under certain circumstances; and providing penalties for certain violations.

BY adding to

Article - Natural Resources

Section 5-1401 through 5-1406, inclusive, to be under the new subtitle "Subtitle 14. Caves"

Annotated Code of Maryland

(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

SUBTITLE 14. CAVES

5-1401. .

(A) IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) "CAVE" MEANS ANY NATURALLY OCCURRING VOID, CAVITY, RECESS, OR SYSTEM OF INTERCONNECTING PASSAGES BENEATH THE SURFACE OF THE EARTH OR WITHIN A CLIFF OR LEDGE, INCLUDING NATURAL SUBSURFACE WATER AND DRAINAGE SYSTEMS. THE WORD "CAVE" INCLUDES OR IS SYNONYMOUS WITH CAVERN, ~~PIT,~~ POTHOLE, SINKHOLE, GROTTO, AND ROCK SHELTER.

(C) "COMMERCIAL CAVE" MEANS ANY CAVE WITH IMPROVED TRAILS AND LIGHTING UTILIZED BY THE OWNER FOR THE PURPOSE OF EXHIBITION TO THE GENERAL PUBLIC AS A PROFIT OR NONPROFIT ENTERPRISE, WHEREIN A FEE IS COLLECTED FOR ENTRY.

(D) "GATE" MEANS ANY STRUCTURE OR DEVICE LOCATED TO LIMIT OR PROHIBIT ACCESS OR ENTRY TO ANY CAVE.

(E) "PERSON OR PERSONS" MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, TRUST, OR CORPORATION.

(F) "SPELEOTHEM" MEANS A NATURAL SECONDARY MINERAL FORMATION OR DEPOSIT OCCURRING IN A CAVE. THIS INCLUDES OR IS SYNONYMOUS WITH STALAGMITES, STALACTITES, HELECTITES, ANTHODITES, GYPSUM FLOWERS, NEEDLES, ANGEL'S HAIR, SODA