

(1973 Replacement Volume and 1978 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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 23A - Corporations - Municipal

1B.

~~(A) IN THIS SECTION "OFFICIALS" MEANS ALL OFFICERS, EMPLOYEES, AND AGENTS OF A MUNICIPAL CORPORATION.~~

~~(B) (A) OFFICIALS OF A MUNICIPAL CORPORATION, WHILE ACTING IN A DISCRETIONARY CAPACITY, WITHOUT MALICE, AND WITHIN THE SCOPE OF THEIR EMPLOYMENT OR AUTHORITY SHALL BE IMMUNE AS OFFICIALS OR INDIVIDUALS FROM ANY CIVIL LIABILITY FOR THE PERFORMANCE OF SUCH ACTIONS. HOWEVER, AN OFFICIAL IS NOT IMMUNE FROM LIABILITY FOR NEGLIGENCE OR ANY OTHER TORT ARISING FROM THE OPERATION OF A MOTOR VEHICLE EXCEPT AS TO ANY CLAIM FOR DAMAGES IN EXCESS OF THE LIMITS OF ANY APPLICABLE POLICY OF MOTOR VEHICLE LIABILITY INSURANCE.~~

(B) AN OFFICIAL IS NOT IMMUNE FROM LIABILITY FOR NEGLIGENCE OR ANY OTHER TORT ARISING FROM THE OPERATION OF A MOTOR VEHICLE EXCEPT AS TO ANY CLAIM FOR DAMAGES IN EXCESS OF THE LIMITS OF ANY APPLICABLE POLICY OF MOTOR VEHICLE LIABILITY INSURANCE.

(C) A MUNICIPAL CORPORATION SHALL PROVIDE DEFENSE FOR ITS OFFICIALS FOR ANY ACT ARISING WITHIN THE SCOPE OF THEIR EMPLOYMENT OR AUTHORITY; A MUNICIPAL CORPORATION SHALL ONLY PROVIDE DEFENSE FOR ITS OFFICIALS FOR NEGLIGENCE OR ANY OTHER TORT ARISING FROM THE OPERATION OF A MOTOR VEHICLE AS TO ANY CLAIM FOR DAMAGES IN EXCESS OF THE LIMITS OF ANY APPLICABLE POLICY OF MOTOR VEHICLE LIABILITY INSURANCE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

Approved May 29, 1979.

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CHAPTER 646

(House Bill 1483)

AN ACT concerning

Garrett County - Elected Board of Education

FOR the purpose of creating an elected Board of Education in Garrett County; establishing terms of office; providing