

ANY PERSON OTHER THAN A LAW ENFORCEMENT OFFICER OR A PERSON AUTHORIZED BY THE OFFICER.

(D) A HOSTAGE AND BARRICADE COMMUNICATIONS SPECIALIST SHALL BE ORDERED TO ACT UNDER SUBSECTION (C) ONLY IF THE TELEPHONE COMPANY PROVIDING SERVICE IN THE AREA HAS BEEN CONTACTED AND REQUESTED TO ACT UNDER SUBSECTION (C) AND THE TELEPHONE COMPANY:

(1) DECLINES TO RESPOND TO THE OFFICER'S REQUEST BECAUSE OF A THREAT OF PHYSICAL INJURY TO ITS EMPLOYEES; OR

(2) INDICATES WHEN CONTACTED THAT IT WILL BE UNABLE TO RESPOND APPROPRIATELY TO THE OFFICER'S REQUEST WITHIN A REASONABLE TIME FROM THE RECEIPT OF THE REQUEST.

(E) THE SUPERVISING LAW ENFORCEMENT OFFICER MAY GIVE AN ORDER UNDER SUBSECTION (C) ONLY AFTER THAT SUPERVISING LAW ENFORCEMENT OFFICER HAS GIVEN WRITTEN REPRESENTATION OR ORAL REPRESENTATION ~~FOLLOWED--BY--A--WRITTEN--CONFIRMATION WITHIN--48--HOURS,~~ OF THE HOSTAGE OR BARRICADE SITUATION TO THE TELEPHONE COMPANY PROVIDING SERVICE TO THE AREA IN WHICH IT IS OCCURRING. IF AN ORDER IS GIVEN ON THE BASIS OF AN ORAL REPRESENTATION, THE ORAL REPRESENTATION SHALL BE FOLLOWED BY A WRITTEN CONFIRMATION OF THAT REPRESENTATION WITHIN 48 HOURS OF THE ORDER.

(F) GOOD FAITH RELIANCE ON AN ORDER BY A SUPERVISING LAW ENFORCEMENT OFFICER WHO HAS THE REAL OR APPARENT AUTHORITY TO ISSUE AN ORDER UNDER THIS SECTION SHALL CONSTITUTE A COMPLETE DEFENSE TO ANY ACTION AGAINST A TELEPHONE COMPANY ARISING OR A TELEPHONE COMPANY EMPLOYEE, OFFICER, OR DIRECTOR THAT ARISES OUT OF ATTEMPTS BY THE TELEPHONE COMPANY OR THE EMPLOYEE, OFFICER, OR DIRECTOR OF THE TELEPHONE COMPANY TO COMPLY WITH SUCH AN ORDER.

(G) FOR THE PURPOSES OF THIS SECTION, "SUPERVISING LAW ENFORCEMENT OFFICER" MEANS AN OFFICER:

(1) HAVING A RANK AT LEAST EQUIVALENT TO A LIEUTENANT OF THE MARYLAND STATE POLICE OR HIGHER; OR

(2) IN CHARGE OF ONE OF THE FOLLOWING:

(I) A STATE OR COUNTY LAW ENFORCEMENT AGENCY;

(II) A MARYLAND STATE POLICE BARRACKS; OR

(III) A DISTRICT OR REGION WITHIN A COUNTY OR BALTIMORE CITY; ~~OR~~

~~(IV)--A--MUNICIPAL--POLICE--FORCE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.