

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is not intended to be construed so as to completely bar any person from a cause of action or remedy in a situation where that person would have an available cause of action or remedy except for the operation of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

June 1, 1982

The Honorable James Clark, Jr.  
Senate of Maryland  
State House  
Annapolis, Maryland 21404

Dear President Clark:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 240.

The original intent of the bill, which is evident from the language of the bill as introduced, was to exempt operators of certain emergency vehicles from liability for negligent, but not malicious or grossly negligent, acts or omissions while performing emergency services. The bill would have further provided that the responsibility for those acts would be shifted to the owners or lessees of emergency vehicles, including the political subdivisions of the State. I wholeheartedly support the original intent of the bill.

The bill as originally drafted and as amended has given rise to certain severe interpretive problems which the Attorney General believes will unnecessarily perplex both courts and litigants. A copy of the Attorney General's letter of advice\* to me is attached. I agree with the Attorney General that the enactment of this bill may not assure that its original intent will be given effect after it has been tested through the judicial process. For that reason, I have decided to veto Senate Bill 240.

Sincerely,  
Harry Hughes  
Governor

June 1, 1982

REVISED LETTER