

Article - Courts and Judicial Proceedings

Section 5-112

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

5-112.

No cause of action for damages accrues and a person may not seek contribution or indemnity for damages incurred for an error in a survey of land unless an action for damages is brought within [20] ~~10~~ 15 years of the survey, or within 3 years after the discovery of the error, whichever occurs first.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

May 20, 2005

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 111 - *Baltimore City - Illegal Dumping - Surveillance Systems*.

House Bill 111 allows Baltimore City to set up surveillance cameras in sites where illegal dumping is occurring and record a violation of the State litter law or a similar local law and the vehicle used to violate the law. Further, unless the person violating the law receives a citation at the time of the violation, Baltimore City may mail a civil citation with a penalty not to exceed \$1,000 to the owner of the vehicle involved in the violation.

An owner may pay the amount stated in the citation or elect to stand trial in the District Court. At trial a certificate sworn to by an agent of the Baltimore City Department of Public Works is evidence of a violation and liability is determined by the civil standard of proof by a preponderance of the evidence.

An owner can contest a citation by proving: (1) that the motor vehicle was stolen, provided a police report of the theft was filed; (2) that another was operating the motor vehicle, if the owner provides at a minimum the name and address of the other;