

WHEREAS, To ensure that this Act is working properly, an interim report on its operation will be required within a year after its effective date; and

WHEREAS, Insofar as the volunteer individual or the volunteer department, squad, or company is reimbursed for damaged or destroyed personal protective equipment under the Superfund Amendments and Reauthorization Act of 1986 or under the State Emergency Assistance Trust Fund (Article 38A, § 46A of the Code), this Act is not intended to provide double reimbursement; now, therefore,

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

Article - Courts and Judicial Proceedings

SUBTITLE 11. REIMBURSEMENT FOR COSTS OF EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT

3-1101.

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

(B) (1) "EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT" MEANS THE REASONABLE COSTS ASSOCIATED WITH THE REPAIR OR REPLACEMENT OF PERSONAL PROTECTIVE EQUIPMENT:

(I) OWNED BY:

1. A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY; OR

2. AN AUTHORIZED VOLUNTEER INDIVIDUAL WHO PARTICIPATES IN AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT BY A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY; AND

(II) DAMAGED THROUGH PROPER USE DURING AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT OF A RELEASE OF HAZARDOUS MATERIALS RESULTING FROM A TRAFFIC ACCIDENT INVOLVING A MOTOR VEHICLE OPERATED BY A MOTOR CARRIER THAT IS TRANSPORTING HAZARDOUS MATERIALS.

(2) "EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT" INCLUDES THE COSTS OF REPLACING THE CHEMICALS ~~OR OTHER FIRE--FIGHTING--MATERIALS~~ THAT ARE USED OR DAMAGED DURING AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT.