

(C) (1) "HAZARDOUS MATERIALS" MEANS A SUBSTANCE OR MATERIAL IN A QUANTITY OR FORM THAT THE UNITED STATES SECRETARY OF TRANSPORTATION DESIGNATES MAY POSE AN UNREASONABLE RISK TO HEALTH AND SAFETY OF INDIVIDUALS OR TO PROPERTY WHEN TRANSPORTED IN COMMERCE.

(2) "HAZARDOUS MATERIALS" INCLUDES ANY GROUPING OR CLASSIFICATION OF MATERIALS, THAT THE UNITED STATES SECRETARY OF TRANSPORTATION DESIGNATES AS A HAZARDOUS MATERIAL, INCLUDING:

- (I) EXPLOSIVES;
- (II) RADIOACTIVE MATERIALS;
- (III) ETIOLOGIC AGENTS;
- (IV) FLAMMABLE LIQUIDS OR SOLIDS;
- (V) COMBUSTIBLE LIQUIDS OR SOLIDS;
- (VI) POISONS;
- (VII) OXIDIZING OR CORROSIVE MATERIALS; AND
- (VIII) COMPRESSED GASES.

(D) "HIGHWAY" HAS THE SAME MEANING AS PROVIDED IN § 11-127 OF THE TRANSPORTATION ARTICLE.

(E) "MOTOR CARRIER" MEANS A COMMON CARRIER BY MOTOR VEHICLE, CONTRACT CARRIER BY MOTOR VEHICLE, AND PRIVATE CARRIER BY MOTOR VEHICLE THAT CARRIES A HAZARDOUS MATERIAL IN COMMERCE.

3-1102.

{A} A MOTOR CARRIER IS RESPONSIBLE FOR THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT OF A SPILL OF HAZARDOUS MATERIALS IN A TRAFFIC ACCIDENT BY A VOLUNTEER FIRE DEPARTMENT, VOLUNTEER RESCUE SQUAD, VOLUNTEER AMBULANCE COMPANY, OR THE INDIVIDUAL MEMBERS OF THE DEPARTMENT, SQUAD, OR COMPANY IF THE MOTOR CARRIER:

(1) TRANSPORTS A HAZARDOUS MATERIAL IN COMMERCE ON A HIGHWAY IN THE STATE; AND

(2) IS AT FAULT ~~IN~~ AND CAUSES A TRAFFIC ACCIDENT IN THE STATE THAT RESULTS IN:

(I) A SPILL OR DISCHARGE INVOLVING HAZARDOUS MATERIALS; AND