

clean up, and abate a hazardous materials spill or discharge caused in a traffic accident involving a motor carrier were studied extensively during the 1987 Interim; and

WHEREAS, This Act is intended to provide at least some money to the individuals who work for or with volunteer fire companies, volunteer rescue squads, and volunteer ambulance companies in order to reimburse those individuals for their personal protective equipment that is damaged or destroyed while making an emergency response to a traffic accident that results in a spill or discharge of hazardous materials involving a motor carrier that is transporting hazardous materials; and

WHEREAS, By means of negotiated settlements first and court action if necessary, this Act provides a mechanism under which the volunteer individual is reimbursed for damaged or destroyed personal protective equipment by the motor carrier that is at fault in and causes a traffic accident involving a containment, cleanup, and abatement of hazardous materials; and

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: