

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

(II) AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT BY THE VOLUNTEER FIRE DEPARTMENT, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY.

~~(B) -- THE EXPENSE -- OF -- AN -- EMERGENCY -- RESPONSE, -- CONTAINMENT, -- CLEANUP, -- AND -- ABATEMENT -- UNDER -- SUBSECTION -- (A) -- OF -- THIS -- SECTION -- IS -- A -- DEDUCTION -- AGAINST -- THE -- RESPONSIBLE -- MOTOR -- CARRIER.~~

3-1103.

(A) A MOTOR CARRIER THAT IS AT FAULT IN AND CAUSES A TRAFFIC ACCIDENT THAT RESULTS IN A SPILL OR DISCHARGE OF HAZARDOUS MATERIALS SHALL NEGOTIATE IN GOOD FAITH TO REIMBURSE A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY FOR ITS THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT INVOLVING THE HAZARDOUS MATERIALS IN THE TRAFFIC ACCIDENT.

(B) IF THE NEGOTIATIONS UNDER SUBSECTION (A) OF THIS SECTION DO NOT RESOLVE THE DISPUTE TO THE SATISFACTION OF THE PARTIES, A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY MAY FILE SUIT AGAINST THE MOTOR CARRIER IN A COURT OF COMPETENT JURISDICTION IN THE STATE.

(C) IF A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, OR VOLUNTEER AMBULANCE COMPANY IS AWARDED DAMAGES UNDER THIS SUBTITLE, THE COURT MAY ALSO AWARD REASONABLE ATTORNEY'S FEES.

3-1104.

~~AS PROVIDED IN ARTICLE 417, § 4-103.1 OF THE CODE, THE ATTORNEY GENERAL AND COUNSEL TO THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL ASSIST A VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD, AND VOLUNTEER AMBULANCE COMPANY IN THE NEGOTIATIONS AND IN THE FILING OF A COURT SUIT TO OBTAIN~~