

CHAPTER 591

(House Bill 1204)

AN ACT concerning

Hazardous Materials – Expense of Emergency Response

FOR the purpose of providing that certain persons in control of certain fixed facilities who are at fault are responsible for certain expenses in connection with certain emergency responses to the release or threatened release of certain hazardous materials, both by paid fire departments and by volunteer fire companies; requiring certain persons in control of certain fixed facilities who are at fault and are involved in certain emergency responses to negotiate in good faith with certain volunteer fire companies and certain paid fire departments for reimbursement of certain expenses; authorizing certain volunteer fire companies and certain paid fire departments to file suit against certain persons in control under certain circumstances; authorizing certain local jurisdictions to file suit on behalf of certain volunteer fire companies under certain circumstances; providing that this Act does not abrogate certain statutory or common law rights or causes of action; providing that this Act does not affect certain liabilities or immunities of certain persons; defining certain terms; and generally relating to hazardous materials and hazardous material responses.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3-1101, 3-1103, 3-1107, 3-1201, 3-1203, and 3-1206

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3-1105 and 3-1204

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 3-1102.1 and 3-1202.1

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

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