

Article - Courts and Judicial Proceedings

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 OR FROM A RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS AT A FIXED FACILITY.

(2) "Expense of an emergency response, containment, cleanup, and abatement" includes the costs of replacing the chemicals that are used or damaged during an emergency response, containment, cleanup, and abatement.

(C) (1) "FIXED FACILITY" MEANS ANY INSTALLATION, STRUCTURE, OR PREMISES, ABOVE GROUND OR UNDERGROUND, IN WHICH HAZARDOUS MATERIALS ARE STORED WITH A CAPACITY TO STORE MORE THAN 1,000 POUNDS OF HAZARDOUS MATERIALS.

(2) "FIXED FACILITY" DOES NOT INCLUDE A FARM OR ANY BUILDING OR STRUCTURE ASSOCIATED WITH A FARM.

[(c)](D) (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;