

- (v) Combustible liquids or solids;
- (vi) Poisons;
- (vii) Oxidizing or corrosive materials; and
- (viii) Compressed gases.

[(d)](E) "Highway" has the same meaning as provided in § 11-127 of the Transportation Article.

[(e)](F) "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.

(G) "PERSON IN CONTROL", WITH RESPECT TO A RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS AT A FIXED FACILITY, MEANS:

- (1) THE OWNER OF THE HAZARDOUS MATERIALS; AND
- (2) THE OWNER, ~~OR OPERATOR, OR PERSON IN CHARGE~~ OF THE FIXED FACILITY INVOLVED IN THE RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS AT THE TIME OF OR IMMEDIATELY BEFORE THE RELEASE OR THREATENED RELEASE.

(H) "VOLUNTEER FIRE COMPANY" INCLUDES A VOLUNTEER FIRE COMPANY, A VOLUNTEER HAZARDOUS MATERIAL RESPONSE TEAM, A VOLUNTEER RESCUE SQUAD, A VOLUNTEER AMBULANCE SQUAD, OR ANY OTHER VOLUNTEER ORGANIZATION DESIGNATED BY A LOCAL JURISDICTION AS A RESPONDER TO A RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS.

3-1102.1.

A PERSON IN CONTROL WHO IS AT FAULT IS RESPONSIBLE FOR THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT OF A RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS AT A FIXED FACILITY BY A VOLUNTEER FIRE COMPANY, OR THE INDIVIDUAL MEMBERS OF THE VOLUNTEER FIRE COMPANY.

3-1103.

(a) (1) A motor carrier that is at fault 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 the expense of an emergency response, containment, cleanup, and abatement involving the hazardous materials in the traffic accident.

(2) A PERSON IN CONTROL OF A FIXED FACILITY WHO IS AT FAULT AND WHO IS INVOLVED IN A RELEASE OR THREATENED RELEASE OF HAZARDOUS MATERIALS SHALL NEGOTIATE IN GOOD FAITH TO REIMBURSE A VOLUNTEER FIRE COMPANY FOR THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT INVOLVING THE HAZARDOUS MATERIALS IN THE RELEASE OR THREATENED RELEASE.