

## 6-402. TRESPASS ON POSTED PROPERTY.

## (A) PROHIBITED.

A PERSON MAY NOT ENTER OR TRESPASS ON PROPERTY THAT IS POSTED CONSPICUOUSLY AGAINST TRESPASS BY:

(1) SIGNS PLACED WHERE THEY REASONABLY MAY BE SEEN; OR

(2) PAINT MARKS THAT:

(I) CONFORM WITH REGULATIONS THAT THE DEPARTMENT OF NATURAL RESOURCES ADOPTS UNDER § 5-209 OF THE NATURAL RESOURCES ARTICLE; AND

(II) ARE MADE ON TREES OR POSTS THAT ARE LOCATED:

1. AT EACH ROAD ENTRANCE TO THE PROPERTY; AND

2. ADJACENT TO PUBLIC ROADWAYS, PUBLIC WATERWAYS, AND OTHER LAND ADJOINING THE PROPERTY.

## (B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 577(a)(1) and (b).

In the introductory language of subsection (a) of this section, the reference to property being posted against "trespass" is substituted for the former reference to property being posted against "trespassers" for clarity and consistency within this subtitle.

In subsection (a)(1) of this section, the phrase "signs placed where they reasonably may be seen" is substituted for the former phrase "[s]igns where they may reasonably be seen" to clarify that the requirement that signs be posted conspicuously applies to the location as well as the content of the signs.

In subsection (a)(2)(i), the reference to regulations that the Department of Natural Resources adopts "under § 5-209 of the Natural Resources Article" is added for clarity.

For the statutory requirement that the Department of Natural Resources adopt regulations that prescribe the type and color of paint to be used for posting private property under the provisions of this section, see NR § 5-209(e). As to the content of the regulations, see COMAR 08.01.05.01.

Defined term: "Person" § 1-101