

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): The definitions of "cultivated land" and "off-road vehicle" are based on current law found in former §§ 578 and 579B of Article 27, respectively. No substantive changes are intended.

"Wanton" has been defined as being "characterized by extreme recklessness and utter disregard for the rights of others". See, e.g., Griffin v. State, 225 Md. 422, 171 A.2d 717 (1961).

577.

(A) (1) A PERSON MAY NOT ENTER OR TRESPASS ON ANY PRIVATE PROPERTY WHICH IN A CONSPICUOUS MANNER IS POSTED AGAINST TRESPASSERS BY:

(I) SIGNS WHERE THEY MAY REASONABLY BE SEEN; OR

(II) IDENTIFYING PAINT MARKS THAT CONFORM WITH REGULATIONS ADOPTED BY THE DEPARTMENT OF NATURAL RESOURCES AND ARE MADE ON TREES OR POSTS AT EACH ROAD ENTRANCE AND ADJACENT TO PUBLIC ROADWAYS, PUBLIC WATERWAYS, AND ANY OTHER LAND ADJOINING THE PROPERTY.

(2) (I) A PERSON MAY NOT REMAIN ON, ENTER ON, OR CROSS OVER THE LAND, PREMISES, OR PRIVATE PROPERTY, INCLUDING BOARDING ANY BOAT OR OTHER MARINE VESSEL OF ANOTHER, AFTER HAVING BEEN DULY NOTIFIED BY THE OWNER OR THE OWNER'S AGENT NOT TO DO SO.

(II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL APPLY TO PROPERTY USED AS A HOUSING PROJECT AND OPERATED BY A HOUSING AUTHORITY OR BY ANOTHER STATE PUBLIC BODY, AS THOSE TERMS ARE DEFINED UNDER ARTICLE 44A OF THE CODE, IF A DULY AUTHORIZED AGENT OF THE HOUSING AUTHORITY OR OTHER STATE PUBLIC BODY GIVES THE REQUIRED NOTIFICATION SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) IT IS INTENDED THAT THIS PARAGRAPH IS ONLY TO PROHIBIT ANY WANTON ENTRY AND MAY NOT BE CONSTRUED TO APPLY TO THE ENTRY ON OR CROSSING OVER ANY LAND WHEN THE ENTRY OR CROSSING IS DONE UNDER A BONA FIDE CLAIM OF RIGHT OR OWNERSHIP.

(3) EXCEPT WHEN TRAVELING ON CLEARLY DESIGNATED PRIVATE DRIVEWAYS, A PERSON MAY NOT OPERATE OR USE AN OFF-ROAD VEHICLE ON PRIVATE PROPERTY UNLESS THE PERSON HAS ~~IN THE PERSON'S POSSESSION THE WRITTEN~~ THE IN THE PERSON'S POSSESSION THE WRITTEN PERMISSION OF THE OWNER OR TENANT OF THE PROPERTY.

(4) (I) IN THIS PARAGRAPH, "POLITICAL SUBDIVISION" INCLUDES:

1. A COUNTY;
2. A MUNICIPAL CORPORATION;
3. A BICOUNTY OR MULTICOUNTY AGENCY;
4. A COUNTY BOARD OF EDUCATION;