

HOUSE BILL 1045

M2

5lr2037

By: **Delegates Beitzel, Adams, Anderton, Buckel, Glass, S. Howard, Impallaria, Jacobs, Jalisi, Kittleman, Krebs, Mautz, McKay, Metzgar, Otto, Saab, Simonaire, and Vogt**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting – Use of Motorized Vehicles – Wounded or Disabled Military**

3 FOR the purpose of authorizing a person who is a wounded or service–connected disabled
4 member of the armed forces or a service–connected disabled veteran to use certain
5 motorized vehicles for certain purposes while hunting; requiring certain regulations
6 adopted by the Secretary of Natural Resources to authorize the operation in a certain
7 manner of certain motorized vehicles on property owned or controlled by the
8 Department of Natural Resources; making certain stylistic changes; and generally
9 relating to the use of motorized vehicles by wounded or service–connected disabled
10 military while hunting.

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 5–209(b)(1) and 10–410(d)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2014 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Natural Resources
18 Section 5–209(b)(2)
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2014 Supplement)

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

23 **Article – Natural Resources**

24 5–209.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (I) The Secretary shall [promulgate rules and] **ADOPT** regulations
 2 regarding equipment standards and the operation of off-road vehicles by type, as defined
 3 in § 10-410(d) of this article, on property owned or controlled by the Department.

4 (II) **NOTWITHSTANDING ANY OTHER PROVISION OF THIS**
 5 **SUBSECTION, REGULATIONS ADOPTED BY THE SECRETARY SHALL AUTHORIZE THE**
 6 **OPERATION OF AN OFF-ROAD VEHICLE OR MOTORIZED WHEELCHAIR ON PROPERTY**
 7 **OWNED OR CONTROLLED BY THE DEPARTMENT CONSISTENT WITH THE WOUNDED**
 8 **OR DISABLED MILITARY EXEMPTION UNDER § 10-410(D) OF THIS ARTICLE.**

9 (2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the
 10 Secretary shall conduct appropriate studies and, by January 1, 1975, designate and identify
 11 areas for use by the general public for operation of motorcycles, snowmobiles and other
 12 off-road vehicles on that property exclusive of wildlife management areas or State fisheries
 13 management areas to the extent such use is compatible with the character and established
 14 uses of property controlled by the Department.

15 (ii) An off-road vehicle may not be used:

- 16 1. Where its operation will damage the wildland character of
 17 the property; or
- 18 2. Where the noise from its operation will be audible at or
 19 interfere with the use of a picnic or camping area open to public use.

20 (iii) The Department may not establish an off-road vehicle trail on
 21 State-owned property located in Sideling Hill in Washington County, including:

- 22 1. The Sideling Hill Wildlife Management Area; and
- 23 2. The areas of Sideling Hill that are located to the north and
 24 south of Interstate 68.

25 10-410.

26 (d) (1) (i) For the purposes of this subsection, "off-road vehicle" means a
 27 motorized vehicle designed for or capable of cross-country travel on land, water, snow, ice,
 28 marsh, swampland, or other natural terrain.

29 (ii) "Off-road vehicle" includes four-wheel drive or low-pressure tire
 30 vehicles, automobiles, trucks, motorcycles and related two-wheel vehicles, amphibious
 31 machines, ground-effect or air-cushion vehicles, snowmobiles, boats, farm-type tractors,
 32 earth-moving or construction equipment, lawn mowers, snowblowers, garden or lawn
 33 tractors, or golf carts.

1 (2) [A] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A person
2 may not pursue wildlife with an off-road vehicle.

3 (3) A PERSON WHO IS A WOUNDED OR SERVICE-CONNECTED
4 DISABLED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR A
5 SERVICE-CONNECTED DISABLED VETERAN MAY USE WHILE HUNTING AN OFF-ROAD
6 VEHICLE OR A MOTORIZED WHEELCHAIR TO GO TO OR FROM A HUNTING STAND OR
7 LOCATION OR TO RETRIEVE GAME.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2015.