

# HOUSE BILL 660

M1, D3

4lr2570  
CF SB 533

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By: **Delegates Myers, Afzali, Beitzel, Elliott, Glass, Hogan, Hough, Impallaria, K. Kelly, Krebs, Luedtke, W. Miller, Parrott, Ready, Schulz, Serafini, and Stocksdale**

Introduced and read first time: January 31, 2014

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Forests and Parks – Public Recreation on Private and State–Owned Land –**  
3 **Off–Highway Vehicles**

4 FOR the purpose of expanding a certain liability exemption for a landowner who  
5 agrees to the use of a defined part of the landowner’s property for cross–country  
6 skiing or snowmobiling in Garrett County to apply to the use of an off–highway  
7 vehicle in the State; defining a certain term; making conforming changes; and  
8 generally relating to public recreation on private and State–owned land.

9 BY repealing and reenacting, with amendments,  
10 Article – Natural Resources  
11 Section 5–1101 and 5–1109  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2013 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Natural Resources  
16 Section 5–1108  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2013 Supplement)

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

21 **Article – Natural Resources**

22 5–1101.

23 (a) In this subtitle the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) "Charge" means price or fee asked for services, entertainment,  
2 recreation performed, or products offered for sale on land or in return for invitation or  
3 permission to enter or go upon land.

4 (2) "Charge" does not include:

5 (i) The sharing of game, fish, or other products of recreational  
6 use;

7 (ii) Benefits to the land arising from the recreational use; or

8 (iii) Contributions in kind or services to promote the  
9 management or conservation of resources on the land.

10 (c) "Educational purpose" includes:

11 (1) Nature study;

12 (2) Farm visitations for purposes of learning about the farming  
13 operation;

14 (3) Practice judging of livestock, dairy cattle, poultry, other animals,  
15 agronomy crops, horticultural crops, or other farm products;

16 (4) Organized visits to farms by school children, 4-H clubs, FFA clubs,  
17 and others as part of their educational programs;

18 (5) Organized visits for purposes of participating in or observing  
19 historical reenactments as part of an educational or cultural program; and

20 (6) Observation of historical, archaeological, or scientific sites.

21 (d) (1) "Land" means land, roads, paths, trails, water, watercourses,  
22 private ways and buildings, structures, and machinery or equipment when attached to  
23 realty.

24 (2) "Land" does not include any structure or equipment provided by a  
25 unit of local government for the purpose of public recreation.

26 **(E) "OFF-HIGHWAY VEHICLE" OR "OHV" MEANS A MOTOR-ASSISTED**  
27 **OR MOTOR-DRIVEN VEHICLE THAT IS:**

28 **(1) DESIGNED FOR OR CAPABLE OF CROSS-COUNTRY TRAVEL ON**  
29 **OR DIRECTLY OVER LAND, SNOW, OR OTHER NATURAL TERRAIN; AND**



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1           (c)     The Department shall adopt regulations to permit cross-country skiing or  
2 **[snowmobile] OHV** use on those defined parts of a landowner's real property on which  
3 cross-country skiing or **[snowmobile] OHV** use is allowed under this section.

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2014.