

HOUSE BILL 1045

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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

AN ACT concerning

Hunting – Use of Motorized Vehicles – Wounded or Disabled Military

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

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

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

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

Article – Natural Resources

5–209.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

10-410.

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

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

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

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

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