

SENATE BILL 443

E1, D3
SB 270/16 – JPR

7lr0744

By: **Senators Salling, Bates, Edwards, Klausmeier, Madaleno, Robinson, Young,
and Zucker**

Introduced and read first time: January 30, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Forcible Entry Into Vehicle to Assist Trapped Animal – Immunity**

3 FOR the purpose of establishing that a person is not criminally or civilly liable for damage
4 resulting from the forcible entry into a motor vehicle for the purpose of removing an
5 animal from the vehicle under certain circumstances; and generally relating to
6 immunity from criminal and civil liability.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 5–643

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2016 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 **5–643.**

16 **A PERSON IS NOT CRIMINALLY OR CIVILLY LIABLE FOR DAMAGE RESULTING**
17 **FROM THE FORCIBLE ENTRY INTO A MOTOR VEHICLE FOR THE PURPOSE OF**
18 **REMOVING AN ANIMAL FROM THE VEHICLE IF THE PERSON:**

19 **(1) DETERMINES THE VEHICLE IS LOCKED OR THERE IS OTHERWISE**
20 **NO REASONABLE METHOD FOR THE ANIMAL TO EXIT THE VEHICLE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) HAS A GOOD FAITH AND REASONABLE BELIEF THAT FORCIBLE**
2 **ENTRY INTO THE VEHICLE IS NECESSARY BECAUSE THE ANIMAL IS IN IMMINENT**
3 **DANGER OF SUFFERING HARM IF NOT IMMEDIATELY REMOVED FROM THE VEHICLE;**

4 **(3) HAS MADE A REASONABLE EFFORT TO LOCATE THE OWNER OF**
5 **THE VEHICLE;**

6 **(4) HAS CONTACTED EITHER THE LOCAL LAW ENFORCEMENT**
7 **AGENCY, THE FIRE DEPARTMENT, OR THE 9-1-1 OPERATOR BEFORE FORCIBLY**
8 **ENTERING THE VEHICLE;**

9 **(5) USES NO MORE FORCE TO ENTER THE VEHICLE AND REMOVE THE**
10 **ANIMAL FROM THE VEHICLE THAN IS NECESSARY UNDER THE CIRCUMSTANCES;**

11 **(6) PLACES A NOTICE ON THE VEHICLE'S WINDSHIELD THAT**
12 **INCLUDES THE PERSON'S CONTACT INFORMATION, THE REASON THE ENTRY WAS**
13 **MADE, THE LOCATION OF THE ANIMAL, AND THE FACT THAT THE AUTHORITIES HAVE**
14 **BEEN NOTIFIED; AND**

15 **(7) REMAINS WITH THE ANIMAL IN A SAFE LOCATION, OUT OF THE**
16 **ELEMENTS BUT REASONABLY CLOSE TO THE VEHICLE, UNTIL A LOCAL LAW**
17 **ENFORCEMENT OFFICER, A MEMBER OF THE LOCAL FIRE DEPARTMENT OR RESCUE**
18 **SQUAD, OR ANOTHER EMERGENCY RESPONDER ARRIVES.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2017.