

HOUSE BILL 393

M1, R7
HB 24/17 – ENV

9lr2010

By: **Delegates Cassilly, Jalisi, Johnson, and Lisanti**

Introduced and read first time: January 30, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2019

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Park Services Associates – Parking Citations**

3 FOR the purpose of authorizing a park services associate who is not commissioned as a law
4 enforcement officer to issue a citation for a parking violation on certain property in
5 the State; and generally relating to the authority of park services associates.

6 BY repealing and reenacting, with amendments,

7 Article – Natural Resources

8 Section 5–206

9 Annotated Code of Maryland

10 (2018 Replacement Volume)

11 BY repealing and reenacting, without amendments,

12 Article – Transportation

13 Section 26–301(a) and (b)

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2018 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Natural Resources**

19 5–206.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Secretary may commission any person to act as a forest or park warden,
2 subject to removal at any time at the pleasure of the Secretary. While holding office, a
3 warden has and may exercise the authority and power of a Natural Resources police officer
4 or a law enforcement officer as provided in his commission so far as arresting and
5 prosecuting persons for violations of any forest or park laws or of the laws, rules and
6 regulations enacted for the protection of the State forestry reservations, State parks,
7 historic monuments, recreation areas, or for the protection of fish and game.

8 (b) The Secretary shall, within the limits of any appropriation made for this
9 purpose, commission forest, park, and wildlife rangers as the Secretary deems necessary
10 for the enforcement of laws and regulations as provided in this subsection. All
11 appointments shall be made from a list of eligible persons prepared in accordance with the
12 provisions of the State Personnel and Pensions Article. An employee so commissioned and
13 assigned law enforcement duties has and may exercise the powers of a Natural Resources
14 police officer or a law enforcement officer of the State. These powers may be exercised upon:

15 (1) Properties owned by the State and managed by the Department;

16 (2) Railroad rights-of-way and utility properties which are not owned by
17 the State, but which traverse properties owned by the State and managed by the
18 Department;

19 (3) All public and private properties which are within the boundaries of
20 State properties managed by the Department;

21 (4) All waters of the State within one mile of the shoreline of all properties
22 owned by the Department;

23 (5) All public and private property adjoining property owned by the State
24 and managed by the Department;

25 (6) All park property in Maryland owned by the federal government;

26 (7) All roadways within the boundaries of or that portion of roadway
27 adjoining properties owned by the State and managed by the Department; and

28 (8) Any property in Maryland for the purpose of executing a warrant that
29 has resulted from law enforcement activities on property on which a forest, park, and
30 wildlife ranger may exercise law enforcement powers.

31 **(C) A PARK SERVICES ASSOCIATE WHO IS NOT COMMISSIONED AS A LAW**
32 **ENFORCEMENT OFFICER UNDER SUBSECTION (B) OF THIS SECTION MAY ISSUE A**
33 **CITATION FOR A PARKING VIOLATION ON:**

34 **(1) PROPERTY OWNED BY THE STATE AND MANAGED BY THE**
35 **DEPARTMENT;**

1 **(2) PUBLIC AND PRIVATE PROPERTY THAT IS WITHIN THE**
2 **BOUNDARIES OF STATE PROPERTY MANAGED BY THE DEPARTMENT;**

3 **(3) PUBLIC AND PRIVATE PROPERTY THAT ADJOINS PROPERTY**
4 **OWNED BY THE STATE AND MANAGED BY THE DEPARTMENT; AND**

5 **(4) A ROADWAY WITHIN THE BOUNDARIES OF, OR THAT PORTION OF**
6 **A ROADWAY THAT ADJOINS, PROPERTY OWNED BY THE STATE AND MANAGED BY THE**
7 **DEPARTMENT.**

8 **[(c)] (D)** In exercising the powers granted under subsection (b) of this section,
9 the law enforcement officer shall make every attempt to minimize delay of the operations
10 of railroads and all utilities.

11 **[(d)] (E)** Unless the Department has a signed memorandum of understanding
12 with the law enforcement agency with primary jurisdiction over the property, a forest, park,
13 and wildlife ranger may not exercise law enforcement powers under the provisions of
14 subsection (b)(3) and (5) of this section.

15 **[(e)] (F)** All forest, park, and wildlife rangers, including persons appointed for
16 training prior to regular assignment as a ranger, shall remain in a probationary status for
17 a period of 2 years from the date of initial appointment. The Secretary may discharge an
18 employee in probationary status for any cause which is deemed sufficient in the sole
19 discretion of the Secretary.

20 **[(f)] (G)** (1) Whenever Natural Resources police officers receive a salary
21 increase, forest and park rangers in the State Forest and Park Service shall receive a salary
22 increase in the same percentage as the salary increase received by Natural Resources police
23 officers.

24 (2) Whenever Natural Resources police officers receive a grade or step
25 increase, forest and park rangers in the State Forest and Park Service shall receive an
26 equal grade or step increase.

27 **[(g)] (H)** Subject to § 1–107 of this article, in cases of inconsistency between this
28 subtitle and the provisions of the State Personnel and Pensions Article, the provisions of
29 this subtitle shall control as to all matters relating to Natural Resources law enforcement
30 officers.

31 **Article – Transportation**

32 26–301.

33 (a) In this subtitle, “officer” means a police officer or a person other than a police
34 officer who is authorized to issue a citation for a violation of an ordinance or regulation that

1 is adopted under this section.

2 (b) Subject to subsection (c) of this section, any State agency authorized by law
3 and any political subdivision of this State may adopt ordinances or regulations that:

4 (1) Regulate the parking of vehicles;

5 (2) Provide for the impounding of vehicles parked in violation of the
6 ordinances or regulations;

7 (3) Regulate the towing of vehicles from publicly owned and privately
8 owned parking lots; and

9 (4) Provide for the issuance of a citation by an officer for a violation of an
10 ordinance or regulation that is adopted under this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
12 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.