
By: **Delegates Shriver and Guns**

Introduced and read first time: January 30, 1998

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Public Recreation on Private and Public Land**

3 FOR the purpose of modifying certain definitions that pertain to public recreation on
4 private and public land; clarifying that certain limited liability protections apply
5 to private and public land; making a certain stylistic change; and generally
6 relating to public recreation on private and public land.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 5-1101 to be under the amended subtitle "Subtitle 11. Public Recreation
10 on Private and Public Land"
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1997 Supplement)

13 BY adding to
14 Article - Natural Resources
15 Section 5-1102.1
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1997 Supplement)

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

20 **Article - Natural Resources**

21 Subtitle 11. Public Recreation on Private AND PUBLIC Land.

22 5-1101.

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

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

1 (2) "CHARGE" DOES NOT INCLUDE A FEE CHARGED BY A PUBLIC
2 AGENCY THAT THE AGENCY DETERMINES ONLY COVERS THE REASONABLE COSTS
3 OF MAKING THE LAND AVAILABLE TO USERS.

4 (c) "Educational purpose" includes any of the following or any combination of
5 the following: Nature study, farm visitations for purposes of learning about the
6 farming operation, practice judging of livestock, dairy cattle, poultry, other animals,
7 agronomy crops, horticultural crops, or other farm products, organized visits to farms
8 by school children, 4-H clubs, FFA clubs and others as part of their educational
9 programs, and viewing historical, archaeological, or scientific sites.

10 (d) "Land" means land, roads, water, watercourses, private ways and
11 buildings, structures, and machinery or equipment when attached to realty.

12 (e) "Owner" means [the possessor of] a PERSON WHO POSSESSES A fee
13 interest, [tenant, lessee,] TENANCY, OR LEASE or A person who possesses the
14 premises.

15 (f) "Recreational purpose" includes the following or any combination of the
16 following: Hunting, BICYCLING, fishing, swimming, boating, camping, picnicking,
17 hiking, pleasure driving, nature study, water skiing, winter sports, horseback riding
18 or horse driving, operating motorized recreational vehicles, jogging, marathon racing,
19 hang gliding, hot air ballooning, and operating light airplanes and other forms of
20 recreational aircraft, [and] viewing or enjoying historical, archaeological, scenic, or
21 scientific sites, AND ANY OTHER RECREATIONAL USE.

22 5-1102.1.

23 THE PROVISIONS OF THIS SUBTITLE APPLY TO PUBLIC RECREATION ON
24 PRIVATE AND PUBLIC LAND.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1998.