

CHAPTER 230

(Senate Bill 860)

AN ACT concerning

Forest and Park Wardens – Responsibilities

FOR the purpose of repealing a certain requirement that a forest or park warden take certain actions on learning of a forest fire; requiring a forest or park warden to take certain actions under certain circumstances; making certain stylistic changes; and generally relating to the responsibilities of a forest or park warden.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–701
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article – Natural Resources

5–701.

(A) [Every] **A** forest [and] **OR** park warden shall enforce every forest and park law, rule, and regulation of the State and protect State forest reserves, State parks, scenic preserves, parkways, historic monuments, and recreational areas.

(B) [He] **THE FOREST OR PARK WARDEN** shall report any violation of law to the Secretary as soon as possible, assist in apprehending and convicting offenders, and make an annual report to the Secretary on forest conditions in [his] **THE FOREST OR PARK WARDEN’S** immediate neighborhood.

(C) If any forest or park warden sees [or learns of] a forest fire, [he] **OR IS REQUESTED BY A FIRE COMPANY TO ASSIST WITH A FIRE PLOW OR PROVIDE INCIDENT COMMAND EXPERTISE AT THE SCENE, THE FOREST OR PARK WARDEN** shall:

(1) Go immediately to the fire and employ those persons and means as [he] **THE FOREST OR PARK WARDEN** deems necessary to extinguish the fire;

(2) Keep an itemized account of all expenses thus incurred and send [his] **THE** account immediately to the Secretary;

(3) Control and direct any person and apparatus engaged in extinguishing forest fires;

(4) Summon inhabitants of the county over the age of 18 years, if able, to assist in extinguishing fires, and also require use of personal property needed for this purpose; and

(5) Use the members of the Junior Forest Fire Fighters Service between the ages of 14 and 18 years inclusive, either paid or unpaid, provided they have the written consent of their parents or guardians.

(D) Any person summoned who is physically able, but who refuses or neglects to assist, or allow the use of man power, equipment, or other material required, is liable to a penalty of \$10.

(E) An action for trespass may not lie against a forest or park warden or anyone working under [his] **THE FOREST OR PARK WARDEN'S** direction, for entering on any person's land to extinguish a fire, plow furrows, tear down fences, or start a back fire to check a fire that may be approaching.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 24, 2008.