

Chapter 503

(House Bill 875)

AN ACT concerning

Public Safety – Explosives – Package of Components

FOR the purpose of altering the definition of “explosives” to include two or more components that are ~~packaged together for sale and when combined create a bomb or destructive device designed to operate by chemical, mechanical, or explosive action advertised and sold together with instructions on how to combine the components to create a certain explosive~~; and generally relating to explosives.

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 11–101(a), 11–105(a), and 11–114
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 11–101(c)
Annotated Code of Maryland
(2011 Replacement Volume)

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

Article – Public Safety

11–101.

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

(c) (1) “Explosives” means gunpowder, powders for blasting, high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powder, and any chemical compound or mechanical mixture that contains oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion, or detonation of any part of the compound or mixture may and is intended to cause an explosion.

(2) “Explosives” includes:

(I) bombs and destructive devices designed to operate by chemical, mechanical, or explosive action; AND

(II) TWO OR MORE COMPONENTS THAT ARE ~~PACKAGED TOGETHER FOR SALE AND WHEN COMBINED CREATE A BOMB OR DESTRUCTIVE DEVICE DESIGNED TO OPERATE BY CHEMICAL, MECHANICAL, OR EXPLOSIVE ACTION ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE COMPONENTS TO CREATE AN EXPLOSIVE, AS DEFINED IN PARAGRAPH (1) OF THIS SUBSECTION.~~

(3) "Explosives" does not include fixed ammunition for small arms, small arms ammunition primers, small arms percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, friction primers, fireworks, or common matches when used in their original configuration.

11-105.

(a) Except as otherwise provided in this subtitle, a person shall obtain a license issued under this subtitle before the person engages in business as a manufacturer or dealer, possesses explosives other than explosives for use in firearms, or possesses or stores explosives for use in firearms in the State.

11-114.

(a) Except as otherwise provided in this subtitle, a person may not engage in business as a manufacturer or dealer in the State unless the person is licensed under this subtitle.

(b) Except as otherwise provided in this subtitle, a person may not possess explosives other than explosives for use in firearms in the State unless the person is licensed under this subtitle.

(c) Except as otherwise provided in this subtitle, a dealer may not sell, barter, give, or dispose of explosives other than explosives for use in firearms to a person unless the person is licensed under this subtitle.

(d) The owner or operator of a mine, quarry, or other operation that uses explosives, and a contractor performing work that uses explosives, may not engage in business as a dealer in the State unless the person is licensed under this subtitle.

(e) An employee of an owner or operator of a mine, quarry, or other operation that uses explosives, or of a contractor performing work that uses explosives, may not possess explosives in a place not necessary for the employee to perform the employee's duties unless the employee is licensed to possess explosives under this subtitle.

(f) A person may not violate a regulation adopted under this subtitle.

(g) Except as otherwise provided in § 11–116 of this subtitle, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 22, 2012.