

Chapter 470

(House Bill 393)

AN ACT concerning

Natural Resources – Park Services Associates – Parking Citations

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

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–206

Annotated Code of Maryland

(2018 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 26–301(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

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

Article – Natural Resources

5–206.

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

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

- (1) Properties owned by the State and managed by the Department;
- (2) Railroad rights-of-way and utility properties which are not owned by the State, but which traverse properties owned by the State and managed by the Department;
- (3) All public and private properties which are within the boundaries of State properties managed by the Department;
- (4) All waters of the State within one mile of the shoreline of all properties owned by the Department;
- (5) All public and private property adjoining property owned by the State and managed by the Department;
- (6) All park property in Maryland owned by the federal government;
- (7) All roadways within the boundaries of or that portion of roadway adjoining properties owned by the State and managed by the Department; and
- (8) Any property in Maryland for the purpose of executing a warrant that has resulted from law enforcement activities on property on which a forest, park, and wildlife ranger may exercise law enforcement powers.

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

- (1) PROPERTY OWNED BY THE STATE AND MANAGED BY THE DEPARTMENT;**
- (2) PUBLIC AND PRIVATE PROPERTY THAT IS WITHIN THE BOUNDARIES OF STATE PROPERTY MANAGED BY THE DEPARTMENT;**
- (3) PUBLIC AND PRIVATE PROPERTY THAT ADJOINS PROPERTY OWNED BY THE STATE AND MANAGED BY THE DEPARTMENT; AND**
- (4) A ROADWAY WITHIN THE BOUNDARIES OF, OR THAT PORTION OF A ROADWAY THAT ADJOINS, PROPERTY OWNED BY THE STATE AND MANAGED BY THE DEPARTMENT.**

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

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

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

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

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

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

Article – Transportation

26–301.

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

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

(1) Regulate the parking of vehicles;

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

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

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

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

Approved by the Governor, May 13, 2019.