

HOUSE BILL 24

M1, R7

7lr0504

(PRE-FILED)

By: **Delegates McConkey, Saab, and Malone**

Requested: August 11, 2016

Introduced and read first time: January 11, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Forest, Park, and Wildlife Rangers – Parking Citations**

3 FOR the purpose of authorizing a forest, park, and wildlife ranger who is not commissioned
4 as a law enforcement officer to issue a citation for a parking violation on certain
5 property in the State; and generally relating to the authority of forest, park, and
6 wildlife rangers.

7 BY repealing and reenacting, with amendments,

8 Article – Natural Resources

9 Section 5–206

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 26–301(a) and (b)

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2016 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Natural Resources**

20 5–206.

21 (a) The Secretary may commission any person to act as a forest or park warden,
22 subject to removal at any time at the pleasure of the Secretary. While holding office, a
23 warden has and may exercise the authority and power of a Natural Resources police officer
24 or a law enforcement officer as provided in his commission so far as arresting and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 prosecuting persons for violations of any forest or park laws or of the laws, rules and
2 regulations enacted for the protection of the State forestry reservations, State parks,
3 historic monuments, recreation areas, or for the protection of fish and game.

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

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

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

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

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

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

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

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

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

27 (C) **A FOREST, PARK, AND WILDLIFE RANGER WHO IS NOT COMMISSIONED**
28 **AS A LAW ENFORCEMENT OFFICER UNDER SUBSECTION (B) OF THIS SECTION MAY**
29 **ISSUE A CITATION FOR A PARKING VIOLATION ON:**

30 (1) **PROPERTY OWNED BY THE STATE AND MANAGED BY THE**
31 **DEPARTMENT;**

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

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

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

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

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

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

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

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

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

29 Article – Transportation

30 26–301.

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

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

1 (1) Regulate the parking of vehicles;

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2017.