

SENATE BILL 127

R7
HB 679/16 – ENV

0lr0894

By: **Senator Reilly**

Introduced and read first time: January 9, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Cats and Dogs Left Unattended – Authorized Removal**

3 FOR the purpose of authorizing a person to use reasonable force to remove an unattended
4 cat or dog from a motor vehicle under certain circumstances, provided that certain
5 conditions are met; making stylistic changes; and generally relating to the
6 authorized removal of cats and dogs left unattended in motor vehicles.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 21–1004.1
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2019 Supplement)

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

14 **Article – Transportation**

15 21–1004.1.

16 (a) A person may not leave a cat or dog unattended in a standing or parked motor
17 vehicle in a manner that endangers the health or safety of the cat or dog.

18 (b) Except as provided in subsection (c) of this section, a person may use
19 reasonable force to remove [from] a **CAT OR DOG LEFT UNATTENDED IN A STANDING**
20 motor vehicle [a cat or dog left in the vehicle] in violation of [the provisions of] subsection
21 (a) of this section if the person [is]:

22 (1) **[A] IS** A law enforcement officer;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) [A] IS A public safety employee of the State or of a local governing body;

(3) [An] IS AN animal control officer under the jurisdiction of the State or a local governing body;

(4) [An] IS AN officer of a society or association, incorporated under the laws of this State for the prevention of cruelty to animals, authorized to make arrests under the provisions of § 10–609 of the Criminal Law Article; [or]

(5) [A] IS A volunteer or professional of a fire and rescue service; OR

(6) (I) REASONABLY BELIEVES THAT ALLOWING THE CAT OR DOG TO REMAIN IN THE MOTOR VEHICLE WOULD POSE AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF THE CAT OR DOG;

(II) CONTACTS A LAW ENFORCEMENT AGENCY, FIRE DEPARTMENT, OR 9–1–1 SPECIALIST BEFORE USING FORCE TO REMOVE THE CAT OR DOG FROM THE MOTOR VEHICLE;

(III) LEAVES WRITTEN NOTICE IN THE VEHICLE CONTAINING:

1. THE PERSON’S NAME AND CONTACT INFORMATION;

2. THE REASON FOR ENTERING THE MOTOR VEHICLE;

AND

3. INFORMATION REGARDING THE LAW ENFORCEMENT AGENCY, FIRE DEPARTMENT, OR 9–1–1 SPECIALIST THAT HAS BEEN CONTACTED; AND

(IV) REMAINS WITH THE CAT OR DOG IN A SAFE LOCATION NEAR THE MOTOR VEHICLE UNTIL THE ARRIVAL OF LAW ENFORCEMENT OR THE FIRE DEPARTMENT.

(c) A person may not use force of any kind to remove from a motor vehicle:

(1) A dog used by the State or a local governing body for police work while the dog is on duty; or

(2) A cat or dog in the custody of an animal control officer.

(d) A person described in subsection (b) of this section may not be held liable for any damages directly resulting from actions taken under the provisions of subsection (b) of this section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2020.