Finding Maryland
Regulatory History

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Note: Notify DNR when you hit & kill an animal with your off-road vehicle (“ORV”)
.07 Reporting Accidents.

A. The operator of an ORV involved in an accident shall contact the Department Communications Center as listed on the online confirmation if the vehicle is in an accident which involves death or injury of an individual.

B. The operator of an ORV involved in an accident shall provide the following information to the Department Communication Center:

(1) Registration number of the ORV or vehicles involved;

(2) Location of the accident;

(3) Date and time of the accident;

(4) Weather conditions at the time of the accident;
What is Rulemaking?

Maryland legislative session is only 90 days.

Maryland agencies fill in details.

Agencies must be granted legislative authority.
Rulemaking in Maryland

- Idea
- AELR / Advisory Council preliminary review
- Submission to Division of State Documents
- Proposed Rule appears in *Maryland Register*
  - Public comment period
  - AELR Review
- Notice of Adoption in *Maryland Register*
- Exception – Emergency Regulations
Rulemaking in Maryland

- Idea
- AELR / Advisory Council preliminary review
- Submission to Division of State Documents
- Proposed Rule appears in *Maryland Register*
  - Public comment period
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- Notice of Adoption in *Maryland Register*
- Exception – Emergency Regulations
Maryland Rules

Code of Maryland Regulations (COMAR)
Official compilation of all regulations issued by Maryland agencies.

COMAR 08.01.03.07
08 – Title: Department of Natural Resources
01 – Subtitle: Office of the Secretary
03 – Chapter: Off-Road Vehicles
07 – Regulation: Reporting Accidents
Maryland Rules

Code of Maryland Regulations (COMAR)

Official compilation of all regulations issued by Maryland agencies.

COMAR xx.xx.xx.00

citation to legislative authority

COMAR xx.xx.xx.9999

citation to administrative history
Maryland Rules

Code of Maryland Regulations (COMAR)

http://www.dsd.state.md.us/COMAR/ComarHome.html
Regulation .07 amended effective December 22, 2014 (41:25 Md. R. 1477)

Maryland Register

Last eight issues available at:
http://www.dsd.state.md.us/MDR/mdregister.html

Westlaw (2005-present), Lexis (2000-present),
Bloomberg (2011-present)

Libraries (UMd, UB, Maryland State Archives)
Regulation .07 amended effective December 22, 2014 (41:25 Md. R. 1477)

Maryland Register

Purchase entire archive from DSD for $375

HMU!  sbillard@gfrlaw.com
Regulation .07 amended effective December 22, 2014 (41:25 Md. R. 1477)
Subline 13 NEIGHBORHOOD BUSINESS DEVELOPMENT

05.13.01 Business Development Program

Authority: Housing and Community Development Article, §§2-201 and 2-111, Title 4, Subtitle 5, and Title 6, Subtitle 3, Annotated Code of Maryland

Notice of Final Action
[14-291-F]

On November 20, 2014, the Acting Secretary of Housing and Community Development adopted amendments to Regulations .03 and .05-.08, new Regulation .16, amendments to and the recodification of existing Regulation .16 to be Regulation .17, and the recodification of existing Regulations .17 and .18 to be Regulations .18 and .19 under COMAR 05.13.01 Business Development Program. This action, which was proposed for adoption in 41:20 Md. R. 1141-1143 (October 3, 2014), has been adopted as proposed.

Effective Date: December 22, 2014.

CLARENCE J. SNUGGS
Acting Secretary of Housing and Community Development

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 01 OFFICE OF THE SECRETARY

08.01.03 Off-Road Vehicles

Authority: Natural Resources Article, §§1-104 and 5-209, Annotated Code of Maryland

Notice of Final Action
[14-282-F]

On December 2, 2014, the Secretary of Natural Resources adopted amendments to Regulations .01-.07 and .10-.12 under COMAR 08.01.03 Off-Road Vehicles. This action, which was proposed for adoption in 41:20 Md. R. 1143-1147 (October 3, 2104), has been adopted as proposed. This action, which was proposed for adoption in 41:20 Md. R. 1143—1147 (October 3, 2014), has been adopted as proposed.

Effective Date: December 22, 2014.

JOSEPH P. GILL
Secretary of Natural Resources

Title 07

DEPARTMENT OF HUMAN RESOURCES

Subtitle 02 FISHERIES SERVICE
Notice of Final Action

[14-282-F]

On December 2, 2014, the Secretary of Natural Resources adopted amendments to Regulations .01—.07 and .10—.12 under COMAR 08.01.03 Off-Road Vehicles. This action, which was proposed for adoption in 41:20 Md. R. 1143-1147 (October 3, 2104), has been adopted as proposed. This action, which was proposed for adoption in 41:20 Md. R. 1143—1147 (October 3, 2014), has been adopted as proposed.

Effective Date: December 22, 2014.

JOSEPH P. GILL
Secretary of Natural Resources
Title 08
DEPARTMENT OF NATURAL RESOURCES
Subtitle 01 OFFICE OF THE SECRETARY

08.01.03 Off-Road Vehicles

Authority: Natural Resources Article, §§1-104 and 5-209, Annotated Code of Maryland

Notice of Proposed Action
14-282-P

The Department of Natural Resources proposes to amend Regulations .01-.07 and .10-.12 under COMAR 08.01.03 Off-Road Vehicles.

Statement of Purpose
The purpose of this action is to designate one new off-road vehicle trail, delete three permanently closed off-road vehicle trails, and update the off-road vehicle regulations.

Comparison to Federal Standards
There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact
1. Summary of Economic Impact. This amendment will produce a positive economic impact through revenues generated by recreation-related expenditures from off-road vehicle trail enthusiasts, increased user fees to the State, and increased tourism-related tax revenues for county governments.
Proposed Rule:

*italics* = new text added to proposed rule

[ ] = text deleted

Final Rule:

*underline italics* = new text added at time of final action

[[ ]] = text deleted at time of final action
.07 Reporting Accidents.

A. The operator of an ORV involved in an accident shall [file a written report with the Department on a form, available from an authorized agent of the Department] contact the Department Communications Center as listed on the online confirmation if the vehicle is in an accident which involves death or injury of an individual. [the following:

(1) Death of an individual or animal;
(2) Injuries to an individual or animal; or
(3) Property damage in excess of $100.]

B. If death occurs, the operator shall submit the written report to the Department within 48 hours after the accident. For other reportable accidents, the operator shall submit the written report to the Department within 5 days after the accident.

C. If the operator fails to provide the written report, the owner of the ORV shall do so.]

D. [Each written report of an accident shall contain the following:] The operator of an ORV involved in an accident shall
RECAP
COMAR xx.xx.xx.9999

- Administrative history of all regulations in a COMAR chapter

- Includes citation to the Notice of Adoption of Final Rule in the *Maryland Register* and effective date of amendments to regulations in a COMAR chapter.
Maryland Register

- **Last 8 issues** = DSD website
- **Last 10-15 years** = West, Lexis, Bloomberg Law
- **Full archive** = law library, purchase from DSD, ask sbillard@gfrlaw.com
Notice of Adoption of Final Rule, Proposed Rule

- Need both!
- Final Rule will include citation to Proposed Rule.
- Proposed Rule will not have extensive preamble but will include information about scheduled hearings, comment periods, and broad statement of purpose.
Questions?