

# SENATE BILL 36

R7

(PRE-FILED)

6lr0559  
CF 6lr0562

---

By: **Senator Simonaire**

Requested: August 10, 2015

Introduced and read first time: January 13, 2016

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 altering a provision of law to authorize any person, instead of only  
4 certain persons, to use reasonable force to remove an unattended cat or dog from a  
5 motor vehicle under certain circumstances; and generally relating to the authorized  
6 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 2015 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 motor vehicle a cat or dog left in the vehicle in violation  
20 of the provisions of subsection (a) of this section [if the person is:

21 (1) A law enforcement officer;

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (3) An animal control officer under the jurisdiction of the State or a local  
3 governing body;

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

7 (5) A volunteer or professional of a fire and rescue service].

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

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

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

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2016.