

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**  
**Revised**

Senate Bill 74 (Senator Miller)

Economic and Environmental Affairs

Environmental Matters

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**Natural Resources - Abandoned Vessels - Period of Abandonment**

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This bill reduces the length of time, from 180 days to 90 days, that a vessel must remain at a private marina, a private boatyard, a private dock, or at or near waters' edge on private property without consent in order to be declared "abandoned." The bill removes the requirement that a vessel must be abandoned for six months before a landowner, a landowner's lessee, or a landowner's agent may acquire title to the vessel and applies the title provisions to a vessel that has remained at a private marina, private boatyard, private dock, or at or near waters' edge on private property for more than 90 days without consent. The Department of Natural Resources (DNR) must send a certified mail notice to the owner of an abandoned vessel no later than 15 days in advance of seizing an abandoned vessel.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled with existing budgeted resources. The bill is not anticipated to affect DNR's ability to investigate and enforce the laws pertaining to the abandonment of vessels. By decreasing the time before specified vessels can be declared abandoned, the bill is anticipated to expedite the process by which the State assists in the removal of such vessels.

**Local Effect:** DNR currently delegates its authority to remove and dispose of abandoned vessels to most local jurisdictions. By decreasing the time before specified vessels can be declared abandoned, the bill is anticipated to expedite the process by which local governments assist private property owners in the removal of abandoned vessels.

**Small Business Effect:** Minimal.

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## Analysis

**Current Law:** “Abandoned vessel” means any vessel that: (1) is left illegally or has remained without permission for more than 30 days on public property, including public marinas, docks, or boatyards; (2) has remained on private property, including private marinas, docks, or boatyards, for more than 180 days without the consent of the owner or person in control of the property; or (3) has been found adrift or unattended in or upon the waters of the State, and is found in a condition of disrepair as to constitute a hazard or obstruction to the use of the waters of the State or presents a potential health or environmental hazard. A landowner, a landowner’s lessee, or a landowner’s agent may acquire title to any vessel apparently abandoned on the landowner’s land or the water immediately adjacent to the landowner’s land for over six months.

DNR may seize, remove, and take into custody any abandoned vessel. As soon as reasonably possible but not later than 15 days after DNR takes an abandoned vessel into custody, DNR must send a notice to the last known registered owner of the vessel and to each secured party.

**Background:** Through its Abandoned Boat Program, DNR provides grants of up to \$30,000 per county each year to remove abandoned vessels. The fiscal 2001 budget includes \$300,000 for the program. The State sets aside a portion of the total budget to cover the costs of removing abandoned vessels in jurisdictions that have chosen not to have authority delegated to them. According to DNR, the State’s program does not fund the removal of vessels from marinas and boatyards.

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### Additional Information

**Prior Introductions:** Similar legislation was introduced during the 1999 session as HB 1013 but was withdrawn.

**Cross File:** None.

**Information Source(s):** Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader – January 17, 2001  
ncs/jr Revised – Enrolled Bill – April 19, 2001

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