

HOUSE BILL 1307

M1

2lr0074

By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: February 15, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – State Boat Act – Fees and Requirements**

3 FOR the purpose of altering the fee for certain manufacturer's and dealer's licenses;
4 altering the expiration date for a certain certificate; subjecting certain vessels
5 operated by sail to certain numbering requirements; altering certain fees
6 related to the titling and registration of vessels; altering the fee for a use sticker
7 for certain vessels; establishing a certain optional decal and decal fee for certain
8 vessels; altering the fee for a manufacturer's or dealer's certificate number;
9 altering the fee for the issuance of certain titles; providing for a delayed
10 effective date for certain provisions of this Act; and generally relating to fees
11 and requirements for vessel titling, registration, decals and certificates and for
12 vessel dealers and manufacturers.

13 BY repealing and reenacting, with amendments,
14 Article – Natural Resources
15 Section 8–710(c), 8–710.2(c), 8–712(a) and (c), 8–712.1, 8–714(c), and 8–716(b)
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2011 Supplement)

18 BY adding to
19 Article – Natural Resources
20 Section 8–712.4
21 Annotated Code of Maryland
22 (2007 Replacement Volume and 2011 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Natural Resources
25 Section 8–712(c) and 8–712.1(b)
26 Annotated Code of Maryland
27 (2007 Replacement Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (As enacted by Section 1 of this Act)

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

4 **Article – Natural Resources**

5 8–710.

6 (c) Application for a manufacturer’s or dealer’s license is made on the form
7 the Department prescribes and contains the name and address of the applicant. If the
8 applicant is a partnership, the application shall include the name and address of each
9 partner. If the applicant is a corporation, the application shall contain the names of
10 the principal officers of the corporation, the state of incorporation, the addresses of
11 every place where the business is conducted, the nature of the business, and any other
12 information the Department requires. Every application shall be verified by oath or
13 affirmation of the applicant if an individual, or by the partner or officer if the
14 applicant is a partnership or corporation. A license fee fixed by the Department not to
15 exceed [~~\$25~~] **\$100** shall accompany every application.

16 8–710.2.

17 (c) A temporary certificate of boat number expires when the first of either of
18 the following occurs:

19 (1) A certificate of boat number for the vessel is issued by the
20 Department; or

21 (2) [~~90~~] **60** days expire from the date the temporary certificate was
22 issued by the dealer.

23 8–712.

24 (a) (1) Any vessel equipped with **A SAIL OR** propulsion machinery of any
25 type on the waters of the State shall be numbered for identification in accordance with
26 this subtitle and any regulation pursuant to it. This provision does not apply to the
27 following vessels:

28 (i) A vessel which has a valid document issued by the United
29 States Coast Guard or its successor;

30 (ii) A vessel with a valid number awarded pursuant to federal
31 law or a federally approved numbering system of another state, if the number awarded
32 is displayed in accordance with the requirements of that system, and the certificate of
33 number is available for inspection whenever the vessel is in use;

1 (iii) A vessel from a country other than the United States
2 temporarily using the waters of the State for less than 90 days;

3 (iv) A vessel used for public service and owned by the United
4 States government, another state, or any political subdivision;

5 (v) A ship's lifeboat;

6 (vi) A vessel **UNDER 16 FEET IN LENGTH** propelled only by sail;

7 (vii) A vessel numbered according to the Federal Boat Safety Act
8 of 1971; or

9 (viii) A vessel manually propelled.

10 (2) The Department, by regulation, for the period the Department
11 prescribes may exempt any vessel or class of vessels from the numbering provisions of
12 this subtitle, if the vessel or class of vessels is exempted from the federal numbering
13 requirements by statute, or rule or regulation.

14 (c) (1) Certificates of number issued under this section shall be valid for a
15 period not to exceed 2 years. The owner of the vessel may apply every other year for
16 renewal of the certificate. The renewed certificate shall expire on December 31 of the
17 calendar year following the year the certificate is issued. [The fee for a 2-year
18 certificate for vessels is \$24. Vessels 16 feet in length or less and equipped with a 7 1/2
19 horsepower motor or less are exempt from this fee. The fee to replace a lost, destroyed,
20 or corrected certificate is \$2.] The Department shall record any transaction or transfer
21 of numbered boats. The Department may record any amount of money owing on a
22 vessel required to be numbered at the time of sale. The Department may not effect a
23 transfer of ownership until the amount of money owed as shown on the records of the
24 Department is fully paid or recorded on the new title. Any vessel that is required to be
25 numbered under this section that is exempt prior to January 1, 1974 shall be exempt
26 from payment of this title tax.

27 (2) **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
28 **SUBSECTION, AN APPLICATION FOR A CERTIFICATE OF NUMBER SHALL BE**
29 **ACCOMPANIED BY THE FEE INDICATED:**

30 (I) **VESSEL UNDER 16 FEET IN LENGTH \$ 25**

31 (II) **VESSEL 16 FEET TO LESS THAN 32 FEET IN**
32 **LENGTH\$ 75**

33 (III) **VESSEL 32 FEET TO LESS THAN 45 FEET IN**
34 **LENGTH\$ 125**

1 (IV) VESSEL 45 FEET TO 65 FEET IN LENGTH \$ 250

2 (V) VESSEL LONGER THAN 65 FEET \$ 350

3 (VI) REPLACEMENT OR CORRECTED CERTIFICATE \$10.

4 [(2)] (3) Emergency rescue boats and fire boats that belong to fire
5 departments or rescue squads in Maryland:

6 (i) Shall be exempt from all registration fees; but

7 (ii) Shall apply for a registration renewal every 3 years.

8 8-712.1.

9 (a) (1) An owner of a vessel that has a valid document issued by the
10 United States Coast Guard and that is used principally on the waters of the State for
11 pleasure shall apply to the Department for a Maryland use sticker.

12 (2) The Department shall issue a Maryland use sticker to any person
13 who submits an application and pays a fee as required by subsection (b) of this section.

14 (3) The Maryland use sticker issued under this section shall be valid
15 for a period not to exceed 2 years expiring on December 31 of the calendar year
16 following the year the sticker is issued.

17 (b) The owner of the vessel shall:

18 (1) Submit an application to the Department on the form that the
19 Department requires and be signed by every owner of the vessel; and

20 (2) Pay to the Department [an application fee of \$10 for the 2-year
21 sticker.] **A FEE OF:**

22 (I) \$25 FOR A VESSEL UNDER 16 FEET IN LENGTH;

23 (II) \$75 FOR A VESSEL 16 FEET TO LESS THAN 32 FEET IN
24 LENGTH;

25 (III) \$125 FOR A VESSEL 32 FEET TO LESS THAN 45 FEET IN
26 LENGTH;

27 (IV) \$250 FOR A VESSEL 45 FEET TO 65 FEET IN LENGTH;

28 (V) \$350 FOR A VESSEL LONGER THAN 65 FEET; OR

1 **(VI) \$10 FOR A REPLACEMENT STICKER.**

2 (c) Within 30 days after the sale or other transfer of a vessel that is
3 displaying or should display a sticker under this section:

4 (1) The transferor shall give notice of the transfer to the Department
5 on a form that the Department requires; and

6 (2) If the transferee intends to continue to use the vessel principally
7 on the waters of the State, the transferee shall submit an application for a Maryland
8 use sticker and pay the fee as required by subsection (b) of this section.

9 (d) The Maryland use sticker shall be displayed on or about the forward half
10 of the vessel.

11 (e) Unless the vessel that is subject to the requirement of this section
12 displays a current sticker:

13 (1) A person may not operate the vessel on the waters of the State;
14 and

15 (2) The owner may not knowingly permit the vessel to be operated on
16 the waters of the State.

17 **8-712.4.**

18 **(A) THE OWNER OF A VESSEL WITHOUT PROPULSION MACHINERY USED**
19 **PRINCIPALLY ON THE WATERS OF THE STATE AND NOT SUBJECT TO THE**
20 **REQUIREMENTS OF § 8-712 OR § 8-712.1 OF THIS SUBTITLE MAY APPLY TO THE**
21 **DEPARTMENT FOR A NONMOTORIZED VESSEL DECAL ON A FORM APPROVED BY**
22 **THE DEPARTMENT.**

23 **(B) THE NONMOTORIZED VESSEL DECAL ISSUED UNDER THIS SECTION**
24 **SHALL BE VALID FOR A PERIOD NOT TO EXCEED 2 YEARS AND SHALL EXPIRE ON**
25 **DECEMBER 31 OF THE CALENDAR YEAR FOLLOWING THE YEAR THE DECAL WAS**
26 **ISSUED.**

27 **(C) THE BIENNIAL FEE FOR A NONMOTORIZED VESSEL DECAL IS \$12.**

28 **(D) THE NONMOTORIZED VESSEL DECAL SHALL BE DISPLAYED ON THE**
29 **EXTERIOR OF THE VESSEL.**

- 1 (i) Vessel under 16 feet in length [~~\$ 25~~] **\$50**
- 2 (ii) Vessel 16 feet to less than 32 feet in
- 3 length [~~\$ 75~~] **\$125**
- 4 (iii) Vessel 32 feet to less than 45 feet in
- 5 length [~~\$ 125~~] **\$250**
- 6 (iv) Vessel 45 feet to 65 feet in length [~~\$ 250~~] **\$500**
- 7 (v) Vessel longer than 65 feet [~~\$ 350~~] **\$700**
- 8 (vi) Replacement or corrected certificate \$10.

9 (3) Emergency rescue boats and fire boats that belong to fire
10 departments or rescue squads in Maryland:

- 11 (i) Shall be exempt from all registration fees; but
- 12 (ii) Shall apply for a registration renewal every 3 years.

13 8-712.1.

14 (b) The owner of the vessel shall:

15 (1) Submit an application to the Department on the form that the
16 Department requires and be signed by every owner of the vessel; and

17 (2) Pay to the Department a fee of:

- 18 (i) [~~\$25~~] **\$50** for a vessel under 16 feet in length;
- 19 (ii) [~~\$75~~] **\$125** for a vessel 16 feet to less than 32 feet in length;
- 20 (iii) [~~\$125~~] **\$250** for a vessel 32 feet to less than 45 feet in
21 length;
- 22 (iv) [~~\$250~~] **\$500** for a vessel 45 feet to 65 feet in length;
- 23 (v) [~~\$350~~] **\$700** for a vessel longer than 65 feet; or
- 24 (vi) \$10 for a replacement sticker.

25 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
26 take effect October 1, 2014.

1 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
2 Section 3 of this Act, this Act shall take effect October 1, 2012.