

HOUSE BILL 860

M1

5lr2204

By: **Delegates Stein, Anderson, Barkley, Carr, Frush, Lafferty, Luedtke,
B. Robinson, S. Robinson, and Waldstreicher**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Aquatic Invasive Species – Inspection and Decontamination of Vessels**
3 **(State Lakes Invasive Species Act of 2015)**

4 FOR the purpose of authorizing the Department of Natural Resources to take certain
5 actions for the inspection and decontamination of vessels; requiring the Department
6 to adopt certain regulations; prohibiting a person from placing a vessel or having a
7 vessel placed in a lake unless the person has taken certain actions; making a person
8 who violates this Act guilty of a misdemeanor and subject to certain penalties;
9 providing for the application of this Act; and generally relating to the inspection and
10 decontamination of vessels.

11 BY adding to

12 Article – Natural Resources

13 Section 8–703.3

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2014 Supplement)

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

18 **Article – Natural Resources**

19 **8–703.3.**

20 **(A) THIS SECTION APPLIES TO A VESSEL THAT IS OPERATED IN A LAKE THAT**
21 **IS OWNED OR MANAGED BY THE STATE.**

22 **(B) (1) THE DEPARTMENT MAY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) STOP, DETAIN, OR INSPECT A VESSEL FOR THE PRESENCE
2 OF AN AQUATIC INVASIVE SPECIES;

3 (II) DECONTAMINATE, OR ORDER THE DECONTAMINATION OF,
4 A VESSEL THAT IS CONTAMINATED WITH AN AQUATIC INVASIVE SPECIES;

5 (III) ESTABLISH AN AQUATIC INVASIVE SPECIES STATION; AND

6 (IV) ESTABLISH AN INSPECTION AND DECONTAMINATION
7 CERTIFICATION PROGRAM TO CERTIFY THAT A VESSEL HAS PASSED INSPECTION.

8 (2) THE DEPARTMENT SHALL ADOPT REGULATIONS FOR THE
9 PROPER MANNER FOR DRYING A VESSEL AS REQUIRED UNDER SUBSECTION (C)(3)
10 OF THIS SECTION, INCLUDING THE AMOUNT OF TIME NECESSARY FOR A VESSEL TO
11 DRY.

12 (C) A PERSON MAY NOT PLACE A VESSEL OR HAVE A VESSEL PLACED IN A
13 LAKE UNLESS THE PERSON HAS:

14 (1) CLEANED THE VESSEL AND REMOVED ALL VISIBLE ORGANIC
15 MATERIAL, INCLUDING PLANTS, ANIMALS, AND MUD;

16 (2) DRAINED THE VESSEL OF ALL WATER, INCLUDING:

17 (I) REMOVING A PLUG OR OTHER BARRIER THAT PREVENTS
18 WATER DRAINAGE; AND

19 (II) IF THE VESSEL IS EQUIPPED WITH A PUMP, RUNNING THE
20 PUMP TO REMOVE WATER; AND

21 (3) DRIED ALL COMPARTMENTS, SPACES, AND ASSOCIATED
22 EQUIPMENT THAT HOLD OR MAY HOLD WATER, INCLUDING COMPLYING WITH
23 GUIDELINES FOR DRYING AND DRYING TIMES AS ESTABLISHED BY THE
24 DEPARTMENT BY REGULATION.

25 (D) (1) (I) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
26 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500
27 OR IMPRISONMENT NOT EXCEEDING 3 MONTHS OR BOTH.

28 (II) A PERSON FOUND GUILTY OF A SECOND OR SUBSEQUENT
29 VIOLATION OF ANY PROVISION OF THIS SECTION IS SUBJECT TO A FINE NOT
30 EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

1 **(2) IN ADDITION TO A PENALTY UNDER PARAGRAPH (1) OF THIS**
2 **SUBSECTION, A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL FINE**
3 **NOT EXCEEDING \$500 FOR EACH VIOLATION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2015.