

## Article - Transportation

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§6–206.

(a) Subject to Subtitle 4 of this title, the Administration may:

(1) Provide for the preservation of navigation within its territorial jurisdiction, including the establishment of lines beyond which piers, bulkheads, wharves, pilings, structures, obstructions, or extensions may not be made or extended;

(2) In order to foster and facilitate navigation and prevent injury to persons or property:

(i) Prohibit, provide for, and regulate within its territorial jurisdiction the shipment, storage, handling, and transportation of explosives and other materials that it determines to be dangerous;

(ii) Provide for the stationing, anchoring, and moving of vessels or other watercraft; and

(iii) Adopt rules and regulations to prevent any refuse or other matter from being thrown into, deposited in, or placed where it may fall or be washed into any navigable waters;

(3) Make surveys or charts of navigable waters within its territorial jurisdiction and ascertain the depth and course of the channels of these waters;

(4) In order to prevent injury to navigation or health:

(i) Erect, maintain, and authorize the erection and maintenance of wharves, bulkheads, piers, and pilings; and

(ii) Adopt regulations governing their erection, maintenance, and repair, including regulations concerning the erection, maintenance, or repair of any wharf, dock, pier, bulkhead, or piling that is associated with the construction of a dwelling unit or other nonwater dependent structure on a pier; and

(5) As to wharves, docks, piers, bulkheads, or pilings, it owns or controls:

(i) Regulate their use;

(ii) Lease or rent them;

(iii) Impose and collect dockage from vessels and watercraft lying at or using them; and

(iv) Collect wharfage and other charges on goods, wares,

merchandise, or other articles landed at, shipped from, stored on, or passed over them.

(b) Except for docks or wharves owned, controlled, or operated by the Administration, this title does not:

(1) Impose any duty on the Administration as to the safety of any person using any waters;

(2) Render the Administration liable for any loss of life, injury, or damage to any person or property because of any obstruction in or unsafe condition of any part of the waters; or

(3) Render the Administration liable for any failure to adopt or enforce any rule or regulation under this title.

(c) The powers in this section may not be exercised in any county unless the county approves the operations of the Administration in the county.

(d) (1) Any ordinance or regulation that was adopted before June 1, 1959 by any State agency, political subdivision, or other public body and that relates to a subject matter over which authority is granted to the Administration by subsection (a) of this section:

(i) Continues to be in effect, except as otherwise provided in this subsection;

(ii) Has the status of a regulation adopted by the Administration; and

(iii) Like other regulations of the Administration, may be readopted, amended, or repealed by the Administration.

(2) Only the Administration may readopt, amend, or repeal these ordinances or regulations.

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