

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 1001 (Senator Reilly)
Education, Health, and Environmental Affairs

Natural Resources - State Boat Act - Carbon Monoxide Safety (Matthew's Law)

This bill requires that carbon monoxide warning labels be affixed to used gasoline-powered motorboats, sold within the State, that have an enclosed occupancy compartment. In addition, the Department of Natural Resources (DNR) must (1) require that a course of instruction in boating safety education include specified information on carbon monoxide poisoning; (2) develop an informational brochure on carbon monoxide poisoning dangers relating to boating and make it available at its regional service centers; (3) provide specified notice regarding the warning label requirement to dealers; and (4) report on specified issues related to carbon monoxide safety.

Fiscal Summary

State Effect: The bill does not materially affect State finances. Any minimal increase in costs for DNR can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Carbon Monoxide Warning Labels

DNR must adopt regulations to require carbon monoxide warning labels to be affixed to any used gasoline-powered motorboat, sold within the State, with an enclosed occupancy

compartment. A dealer may not sell a used gasoline-powered motorboat with an enclosed occupancy compartment within the State unless the dealer ensures that carbon monoxide warning labels have been affixed to the motorboat in accordance with DNR regulations.

“Motorboat” means any vessel equipped with propelling machinery, whether or not the machinery is the principal source of propulsion.

“Enclosed occupancy compartment” means a contiguous enclosed space, surrounded by boat structure, that may be occupied by an individual.

“Carbon monoxide warning label” means a label that contains information about the dangers of carbon monoxide that has been produced or approved by (1) the American Boat and Yacht Council; (2) the National Marine Manufacturers Association; or (3) DNR.

DNR must provide notice of the label requirements and regulations (1) with any license renewal notice provided to a dealer from October 1, 2019, to September 31, 2021, inclusive and (2) with any license application provided to an applicant for a dealer’s license on or after October 1, 2019.

Courses of Instruction and Brochures

DNR must require that a course of instruction in boating safety education include information on (1) the danger of being overcome by carbon monoxide poisoning while on or behind a motorboat; (2) the danger of being overcome by carbon monoxide poisoning in an enclosed occupancy compartment; (3) strategies to prevent carbon monoxide poisoning while boating; and (4) the types of equipment that emit carbon monoxide, such as engines, generators, and gas stoves.

DNR must also develop an informational brochure on the dangers of (1) carbon monoxide poisoning while boating and (2) being overcome by carbon monoxide poisoning in an enclosed occupancy compartment. DNR must make the brochure available at the department’s regional service centers.

Department of Natural Resources Report

By December 1, 2019, DNR must report to the General Assembly on (1) any changes to marine manufacturing industry standards relating to carbon monoxide; (2) the availability of plug-in or battery-powered marine certified carbon monoxide detectors; and (3) best practices in preventing carbon monoxide poisoning relating to motorboat operation.

Current Law: Under the State Boat Act, DNR’s responsibilities include promoting the safety of life and property through an educational program directed to boat owners, boat

operators, and others concerning the inherent hazards to vessels and people on the waters, including precautions to be observed, and emergency action. The department must coordinate a statewide program of boating safety instruction and certification and ensure that a course of boating safety education is available within each county. With certain exceptions, a person born on or after July 1, 1972, must have in their possession a certificate of boating safety education while operating a numbered vessel for pleasure on waters of the State (with certain exceptions, any vessel equipped with propulsion machinery of any type on the waters of the State must be numbered for identification).

Background: A DNR informational booklet for recreational boaters indicates that carbon monoxide is a potentially deadly gas produced any time a carbon-based fuel, such as gasoline, propane, charcoal, or oil, burns. Sources of carbon monoxide on a boat can include gasoline engines and generators, cooking ranges, space heaters, and water heaters. DNR indicates that the current Maryland boating safety education course incorporates information on the dangers of carbon monoxide poisoning and prevention strategies.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources; Marine Trades Association of Maryland; Department of Legislative Services

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