

HOUSE BILL 696

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By: **Delegate Malone**

Introduced and read first time: January 30, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **State Boat Act – Abandoned or Sunken Vessels – Vessels Remaining on Private**
3 **Property**

4 FOR the purpose of reducing the amount of time that a vessel must have been left at a
5 certain location without the consent of the owner or person in control of the property
6 to be considered an “abandoned or sunken vessel”; and generally relating to
7 abandoned and sunken vessels.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 8–721(a)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2019 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Natural Resources
15 Section 8–721(b)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2019 Supplement)

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

20 **Article – Natural Resources**

21 8–721.

22 (a) In this section, “abandoned or sunken vessel” means any vessel that:

23 (1) Is left illegally or has remained without permission for more than 30
24 days on public property, including public marinas, docks, or boatyards;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Has remained at the following locations for more than ~~[90]~~ **60** days
2 without the consent of the owner or person in control of the property:

3 (i) A private marina or property operated by a private marina; or

4 (ii) A private boatyard or property operated by a private boatyard;

5 (3) Has remained at the following locations for more than 30 days without
6 the consent of the owner or person in control of the property:

7 (i) A private dock; or

8 (ii) At or near waters' edge on private property;

9 (4) Has remained on private property other than the private property
10 described in items (2) and (3) of this subsection for more than ~~[180]~~ **90** days without the
11 consent of the owner or person in control of the property; or

12 (5) (i) Has been found adrift or unattended in or upon the waters of the
13 State, and is found in a condition of disrepair as to constitute a hazard or obstruction to the
14 use of the waters of the State or presents a potential health or environmental hazard; and

15 (ii) Is not:

16 1. Historic property as defined in § 5A–301 of the State
17 Finance and Procurement Article; or

18 2. Submerged archaeological historic property as defined in
19 § 5A–333 of the State Finance and Procurement Article.

20 (b) (1) The Department may seize, remove, and take into custody any
21 abandoned or sunken vessel.

22 (2) For this purpose, the Department may use its own personnel,
23 equipment, and facilities or use other persons, equipment, and facilities for removing,
24 preserving, or storing abandoned or sunken vessels.

25 (3) The Department, or a person removing, preserving, or storing an
26 abandoned or sunken vessel on behalf of the Department, may not be held liable for any
27 damage to an abandoned or sunken vessel which may occur during removal, storage, or
28 custody of the vessel.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2020.