

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 14-174)**

Overview and Legal and Fiscal Impact

These regulations update the boundary coordinates and descriptions of Whitehall Bay and its tributaries.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Natural Resources:

Boating – Speed Limits and Operation of Vessels: Whitehall Bay:
COMAR 08.18.29.01-.04

Legal Analysis

Background

The regulations are part of a comprehensive update of State boating regulations undertaken by the Department of Natural Resources to more accurately and consistently describe waterways and speed restrictions.

Summary of Regulations

The regulations revise the boundary delineations of Whitehall Bay and its tributaries, including Meredith Creek, Mill Creek, and Whitehall Creek, using global positioning system coordinates, current charts, and more accurate surveys. The regulations retain the current speed limits, but repeal the parenthetical miles-per-hour speed limit descriptions and specific dates of the boating season, which the department has incorporated in the updated definitions for the subtitle in COMAR 08.18.01.03. In addition, the regulations add § 8-703 of the Natural Resources Article to the cited statutory authority for Chapter 29 of COMAR 08.18.

Legal Issue

The regulations present no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites §§ 8-703 and 8-704 of the Natural Resources Article as legal authority for the regulations. Section 8-703 requires the department to designate and mark channels in the waters of the State. Section 8-704 broadly authorizes the department to adopt regulations to carry out the provisions of the State Boat Act. The authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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