

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	05/20/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/24/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

08 02 01 02

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator Telephone Number
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Title 08
DEPARTMENT OF NATURAL RESOURCES
Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-701, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Natural Resources proposes to amend Regulation .02 under COMAR 08.02.01 General.

Statement of Purpose

The purpose of this action is to remove the fee for a replacement license and clarify the identification requirements for commercial vessels and vehicles. Specifically, the proposed action removes the replacement license provision. The Department has not charged a replacement license fee for approximately two years because the COMPASS licensing system allows any licensee to print a license at any time without additional charges.

Regulation .02 is unclear if the rules about the display of identification numbers apply to commercial gear as well as vehicles, vessels and places of business. The regulation is not intended for gear marking since placing a 4 inch number on most gear is difficult or impossible. Other regulations specify how gear is to be marked. The size requirement should only apply to vessels and vehicles. The proposed action clarifies the display of identification number for commercial vessels and vehicles and changes the minimum height requirement from 4 inches to 3 inches. Three inch numbers are the standard size sold in stores as well as the standard used by the industry.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Commercial License Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
No
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
No funds are necessary to implement the change. The changes are for clarification.
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
The replacement license fee has not been charged for approximately two years so removing it will not affect licensees or the Department. The change to the numbers is for clarification and does not place any burden on licensees.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
See Section E
- G. Small Business Worksheet:

Attached Document:

.02 General Commercial License Requirements.

- A. (text unchanged)
- B. Identification Number.
- (1) (text unchanged)
- (2) Display of *Commercial Identification Number on Vessels and Vehicles*.
- (a) The licensee's *commercial* identification number shall be plain vertical block characters of not less than [4] 3 inches in height and shall contrast with the color of the background.
- (b) All numbers shall be distinctly visible and legible.
- [(3)] (c) Display on Vessels.
- (i) The licensee's *commercial* identification number shall be painted or firmly attached to both sides of the vessel.
- (ii) The number shall be positioned on or above the hull, forward, but not on or near the bow, and in such a manner as to be clearly visible to passing boats.
- [(4)] (d) Display on Vehicle.

(i) The licensee's *commercial* identification number shall be painted or firmly attached to the vehicle.

(ii) The number shall be positioned on the front part of the body on the driver's side.

[C. Replacement License. If a license is defaced, lost, or destroyed, the licensee shall apply for a replacement license within 7 days. The licensee shall submit an affidavit with the application certifying whether the license was defaced, lost, or destroyed. Upon receipt of this information and a \$5 service fee, the Department shall issue a replacement license.]

MARK J. BELTON
Secretary of Natural Resources