

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 16-147)**

Overview and Legal and Fiscal Impact

This regulation corrects an error in the coordinate description of the boundaries of Shipping Creek.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Natural Resources:

Boating-Speed Limits and Operation of Vessels: Eastern Bay: COMAR 08.18.10.02

Legal Analysis

Background

In 2013, the Department of Natural Resources adopted a revised coordinate description of Shipping Creek as part of a comprehensive update of the waterway descriptions in State boating regulations, using global positioning system coordinates, current charts, and more accurate surveys. The department advises, however, that it subsequently determined that part of the area intended to be included was mistakenly omitted from the revised description due to a typographical error in the previous boundary description.

Summary of Regulation

This regulation corrects an error in the coordinate description of the boundaries of Shipping Creek, which is subject to a 6-knot speed limit on Saturdays, Sundays, and State holidays during the boating season.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites §§ 8-703 and 8-704 of the Natural Resources Article as statutory authority for the regulation. Section 8-703 requires the department to designate and mark channels in the waters of the State. Section 8-704 establishes the broad authority of the department to adopt regulations to carry out the provisions of the State Boat Act.

This authority is correct and complete. The regulation complies 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 regulation has 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 regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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