

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 216 (Delegate Arnick, et al.)
Environmental Matters

**Natural Resources - Personal Watercraft - Business Licensing and Safety
Certification**

This bill requires that a “personal watercraft” livery operator obtain a license to do business in the State according to regulations adopted by the Department of Natural Resources (DNR). The application must include specified information and a license fee that cannot exceed \$50; the license is to be renewed annually. All license fees must be deposited in the Waterway Improvement Fund. DNR may refuse to issue a license or cancel a license under specified circumstances. On or after January 1, 1997 an individual must obtain a personal watercraft safety education certificate in order to operate a personal watercraft unless the individual meets specified exemptions. DNR may charge up to \$10 for the replacement of a lost certification for which appropriate records exist. DNR may issue a 14-day temporary certification to specified individuals.

On or after January 1, 1997 an individual who violates the provisions of this bill is guilty of a misdemeanor and subject to a fine not exceeding \$50. The provisions of this legislation may only be enforced as a secondary action when an officer detains an operator of a personal watercraft for a suspected violation of another provision of the code or regulation.

Fiscal Summary

State Effect: Indeterminate minimal increase in general and special fund revenues; minimal increase in special fund expenditures.

Local Effect: None.

Fiscal Analysis

Bill Summary: DNR must adopt regulations to establish criteria for personal watercraft safety education courses and coordinate a statewide program of personal watercraft safety education certification and ensure that safety courses are widely available. DNR may also administer an oral examination. Any person who meets the criteria may be approved by DNR to offer such a course; a safety course offered through a public school is not required to exceed two hours. A personal watercraft safety education certification must be issued to an individual who passes a safety course or a safety examination; this certification is valid for the lifetime of the individual to whom it is issued and may not be revoked. Safety education materials must be provided without charge by DNR to persons who plan to take the examination.

State Effect: DNR has already budgeted for a voluntary education program for personal watercraft users and will use existing personnel in the Natural Resources Police Outdoor Education Division to implement the education programs required. However, some additional expenditures may result from the requirement to provide educational materials free of charge to those who choose to take an examination. The amount of such expenditures is dependent upon the number of individuals who decide to take this option but is assumed to be minimal.

Special fund revenues will increase due to the \$50 license fee for livery operators. The amount of revenue increase depends upon the number of operators that would apply for the license. If 15 operators applied in fiscal 1997, special fund revenues would increase by \$750. Minimal special fund expenditures would be incurred due to the need to print licenses. Out-year revenues would increase depending upon the number of livery operators per year and the number of individuals who lose certifications and replace them paying the \$10 fee. DNR estimates that 25,000 individuals would be certified in fiscal 1997.

No additional enforcement expenditures would be incurred, because these provisions can only be enforced as a secondary action.

General fund revenues could increase under the bill's monetary penalty provision, depending upon the number of convictions and fines imposed. Offenders are subject to a fine of up to \$50.

Information Source(s): Department of Natural Resources, Department of Fiscal Services

Fiscal Note History: First Reader - March 4, 1996

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