

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

Senate Bill 787 (Senator Green)

Economic and Environmental Affairs

Referred to Environmental Matters

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Natural Resources - Livery Vessel Owner - Safety Requirements

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This amended bill provides that “livery vessel owners” or their agents or employees may not rent a motor boat under 16 feet in length unless:

- that vessel is in seaworthy condition and properly equipped for the waters where it will be used; and
- the livery vessel owner or agent or employee possesses a boating safety certificate.

Violators of these provisions are guilty of a misdemeanor and subject to penalty provisions of up to one year imprisonment and/or \$1,000 fine.

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Fiscal Summary

**State Effect:** Potential increase in revenues and expenditures due to the bill’s penalty provision.

**Local Effect:** Potential increase in revenues and expenditures due to the bill’s penalty provision.

**Small Business Effect:** Potential minimal impact on small businesses as discussed below.

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Fiscal Analysis

**State Effect:** Enforcement of these requirements by the Department of Natural Resources (DNR) could be handled with existing resources during current routine inspections. General fund revenues could increase under the bill’s monetary penalty provision for those cases heard in the District Court, depending upon the number of convictions and fines imposed. General fund expenditures could increase as a result of the bill’s incarceration penalty due to increased payment to counties for reimbursement of inmate costs, depending upon the

number of convictions and sentences imposed.

**Local Effect:** Revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed. Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$23 to \$83 per inmate in fiscal 1998.

**Small Business Effect:** Under this bill, livery vessel owners that are small businesses would have to ensure that vessels are seaworthy and equipped for the water conditions. It is assumed that most businesses that rent out boats already meet this requirement. However, to the extent that businesses are renting boats that are unseaworthy or unequipped, these businesses would need to make repairs or purchase the proper equipment. It should be noted that if businesses took such actions, this could minimize the risks of accidents occurring in these vessels and any resultant lawsuits.

Livery vessel owners would also have to ensure that they and all individuals working for them possess a boating safety certificate. DNR advises that such certificates can be obtained at minimal or no cost. However, employers may have to pay the wages of employees for the time spent while they are obtaining a boating safety certificate, although they could make such a certification a prerequisite for employment. There are approximately 100 livery vessel owners throughout the State.

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

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nrd Revised - Senate Third Reader - March 24, 1997

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