

HOUSE BILL 458

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1999 Regular Session
9r0120

By: **Chairman, Environmental Matters Committee (Departmental - Natural Resources)**

Introduced and read first time: February 10, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Natural Resources - Checks - Miscellaneous Fees**

3 FOR the purpose of authorizing the Department to impose a certain fee for returned
4 checks; altering certain fees relating to vessel validation stickers, titling, and
5 renumbering; providing for a delayed effective date; and generally relating to
6 vessel and returned check fees.

7 BY adding to

8 Article - Natural Resources

9 Section 1-802 to be under the amended subtitle "Subtitle 8. Penalties, Fines,
10 and Fees"

11 Annotated Code of Maryland

12 (1997 Replacement Volume and 1998 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article - Natural Resources

15 Section 8-712, 8-712.1, and 8-716(b)

16 Annotated Code of Maryland

17 (1990 Replacement Volume and 1998 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Natural Resources**

21 Subtitle 8. Penalties, [and] Fines, AND FEES.

22 1-802.

23 IF A CHECK IS TAKEN IN PAYMENT FOR A FEE AUTHORIZED UNDER THIS
24 ARTICLE AND THE CHECK IS RETURNED UNPAID, THE DEPARTMENT MAY IMPOSE A
25 \$25 SERVICE CHARGE.

1 8-712.

2 (a) (1) Any vessel equipped with propulsion machinery of any type on the
3 waters of the State shall be numbered for identification in accordance with this
4 subtitle and any regulation pursuant to it. This provision does not apply to the
5 following vessels:

6 (i) A vessel which has a valid document issued by the United
7 States Coast Guard or its successor;

8 (ii) A vessel with a valid number awarded pursuant to federal law
9 or a federally approved numbering system of another state, if the number awarded is
10 displayed in accordance with the requirements of that system, and the certificate of
11 number is available for inspection whenever the vessel is in use;

12 (iii) A vessel from a country other than the United States
13 temporarily using the waters of the State for less than 90 days;

14 (iv) A vessel used for public service and owned by the United States
15 government, another state, or any political subdivision;

16 (v) A ship's lifeboat;

17 (vi) A vessel propelled only by sail;

18 (vii) A vessel numbered according to the Federal Boat Safety Act of
19 1971; or

20 (viii) A vessel manually propelled.

21 (2) The Department, by regulation, for the period the Department
22 prescribes may exempt any vessel or class of vessels from the numbering provisions of
23 this subtitle, if the vessel or class of vessels is exempted from the federal numbering
24 requirements by statute, or rule or regulation.

25 (b) The owner of any vessel to be numbered by this subtitle shall file an
26 application for a certificate of number with the Department. The application is on
27 forms the Department approves, accompanied by the requisite fee, and signed by
28 every vessel owner.

29 (c) (1) Certificates of number issued under this section shall be valid for a
30 period not to exceed 2 years. The owner of the vessel may apply every other year for
31 renewal of the certificate. The renewed certificate shall expire on December 31 of the
32 calendar year following the year the certificate is issued. The fee for a 2-year
33 certificate for vessels is \$24. Vessels 16 feet in length or less and equipped with a 7 1/2
34 horsepower motor or less are exempt from this fee. The fee to replace a lost,
35 destroyed, or corrected certificate is [2] \$8. The Department shall record any
36 transaction or transfer of numbered boats. The Department may record any amount
37 of money owing on a vessel required to be numbered at the time of sale. The
38 Department may not effect a transfer of ownership until the amount of money owed

1 as shown on the records of the Department is fully paid or recorded on the new title.
2 Any vessel that is required to be numbered under this section that is exempt prior to
3 January 1, 1974 shall be exempt from payment of this title tax.

4 (2) Emergency rescue boats that belong to fire departments or rescue
5 squads in Maryland:

6 (i) Shall be exempt from all registration fees; but

7 (ii) Shall apply for a registration renewal every 3 years.

8 (d) Upon receipt of the application in approved form, the Department shall
9 issue to the applicant a certificate of boat number which shall contain the boat
10 number issued to the vessel and additional information the Department prescribes by
11 regulation. The certificate of boat number shall be available for inspection when the
12 vessel is in use. The owner shall paint on or attach the boat number to each side of the
13 forward half of the vessel's hull or superstructure for which the boat number is issued,
14 displaying the boat number in the manner required by Department regulations and
15 maintaining the boat number in legible condition.

16 (e) If a vessel required to be numbered under this subtitle is sold, transferred,
17 abandoned, lost, stolen, or destroyed, the vessel's certificate expires at the time of the
18 sale, transfer, abandonment, loss, theft, or destruction and then is invalid.

19 [(f) There is a \$5 service charge for every check returned unpaid.]

20 [(g)] (F) The Department shall inform each holder of a certificate of boat
21 number of the manner in which the boat owner may obtain a current copy of the U. S.
22 Coast Guard rules and regulations applicable to the type of boat registered under the
23 owner's boat number.

24 [(h)] (G) If a person who applies for the issuance or renewal of a certificate of
25 boat number for a vessel has an outstanding warrant for failing to appear in court to
26 answer a charging document alleging a violation under this subtitle, the Department
27 shall refuse to issue or renew the certificate of boat number for the vessel until the
28 person charged has complied with the provisions of § 1-205 of this article.

29 8-712.1.

30 (a) (1) An owner of a vessel that has a valid document issued by the United
31 States Coast Guard and that is used principally on the waters of the State for
32 pleasure shall apply to the Department for a Maryland use sticker.

33 (2) The Department shall issue a Maryland use sticker to any person
34 who submits an application and pays a fee as required by subsection (b) of this
35 section.

36 (3) The Maryland use sticker issued under this section shall be valid for
37 a period not to exceed 2 years expiring on December 31 of the calendar year following
38 the year the sticker is issued.

1 (b) The owner of the vessel shall:

2 (1) Submit an application to the Department on the form that the
3 Department requires and be signed by every owner of the vessel; and

4 (2) Pay to the Department an application fee of [\$10] \$24 for the 2-year
5 sticker.

6 (c) Within 30 days after the sale or other transfer of a vessel that is or should
7 display a sticker under this section:

8 (1) The transferor shall give notice of the transfer to the Department on
9 a form that the Department requires; and

10 (2) If the transferee intends to continue to use the vessel principally on
11 the waters of the State, the transferee shall submit an application for a Maryland use
12 sticker and pay the fee as required by subsection (b) of this section.

13 (d) The Maryland use sticker shall be displayed on or about the forward half of
14 the vessel.

15 (e) Unless the vessel that is subject to the requirement of this section displays
16 a current sticker:

17 (1) A person may not operate the vessel on the waters of the State; and

18 (2) The owner may not knowingly permit the vessel to be operated on the
19 waters of the State.

20 8-716.

21 (b) The Department shall charge a [\$2] \$12 fee to issue a certificate of title, a
22 transfer of title, or a duplicate or corrected certificate of title.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect January 1, 2000.