

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 73 (Delegate Boutin, *et al.*)

Environmental Matters

Economic and Environmental Affairs

Department of Natural Resources - Vessel Operation - Regulations

This bill requires the Department of Natural Resources (DNR) to adopt regulations prohibiting the operation of personal watercraft (PWC) above idle speed in any area of water with a depth of less than 18 inches. The bill also authorizes DNR to adopt regulations limiting the use of PWCs in any area of water with a depth of less than one meter.

Fiscal Summary

State Effect: General fund expenditure increase of \$95,600 in FY 2002 related to the implementation of a public awareness campaign for PWC users and marking of restricted areas. Future year estimates are adjusted for inflation and reflect ongoing operating expenses. No effect on revenues.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	95,600	44,200	44,600	45,000	45,500
Net Effect	(\$95,600)	(\$44,200)	(\$44,600)	(\$45,000)	(\$45,500)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: DNR must adopt regulations governing the numbering of vessels for identification, safety equipment on vessels, and operations of specified vessels so that

each vessel complying with the regulations may be operated with equal freedom or under similar requirements on all waters of the State. DNR does not have the authority to place restrictions on individual types or sizes of vessels.

Background: DNR has been regulating the operation of PWCs since 1994, but has not been able to address specific issues in particular waterways. According to DNR, under current law, in order to address complaints associated with PWCs, DNR must restrict all vessels. Current State regulations prohibit PWC operation at a speed in excess of six knots within 100 feet of another vessel. Current PWC coastal water regulations prohibit operation within 300 feet of people in the water or surf fishermen; and at a speed of more than six knots within 100 feet of a wharf, pier, or jetty. Noncoastal water regulations prohibit operation at a speed of more than six knots within 100 feet of a shore, wharf, pier, piling, bridge structure, or abutment, or people in the water. Currently, there is no law or regulation restricting PWC use in shallow waters.

According to PWC and natural resource experts, limiting the operation of PWCs to idle speeds in shallow waters of less than 18 inches will reduce water turbidity and reduce the disruption of submerged aquatic vegetation beds.

State Expenditures: DNR advises that it would need to implement a public awareness campaign to inform PWC users of the new restrictions. DNR also advises that it would need to mark any new restricted areas with buoys and signs. Assuming DNR uses the authority provided by the bill, general fund expenditures could increase by an estimated \$95,600 in fiscal 2002 which reflects:

- \$76,200 for marking new restricted areas with approximately 250 buoys;
- \$7,300 in contractual services to print brochures and stickers for the PWCs;
- \$7,000 for creek and poster signs; and
- \$5,100 for mailings to PWC users.

Legislative Services advises that costs could vary depending on the extent to which DNR restricts PWCs by regulation. Future year estimates are adjusted for inflation and reflect ongoing operating expenses including buoy maintenance. Future year estimates reflect a decrease in the number of mailings, signs, brochures, and stickers that would be needed.

Additional Information

Prior Introductions: None.

Cross File: SB 471 (Senator Collins) – Economic and Environmental Affairs.

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

Fiscal Note History: First Reader – January 17, 2001
mld/jr Revised – House Third Reader - March 22, 2001
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