

Department of Legislative Services

Maryland General Assembly

2003 Session

FISCAL AND POLICY NOTE

Senate Bill 115 (Chairman, Education, Health, and Environmental Affairs Committee)
(By Request – Departmental – Natural Resources)

Education, Health, and Environmental Affairs

Environmental Matters

Boating Accidents

This departmental bill modifies the conditions relating to boating accidents that trigger State reporting requirements in order to be consistent with federal law. Specifically, the bill increases, from \$500 to \$2,000, the minimum amount of damage to property that must occur before a boating accident is required to be reported to the Department of Natural Resources (DNR). The bill also requires that if a collision involves two or more vessels, regardless of the amount of property damage, it must be reported.

Fiscal Summary

State Effect: This bill will not materially affect State finances or operations.

Local Effect: None.

Small Business Effect: DNR has determined that this bill will have minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: If an accident involves any vessel subject to the State Boat Act while on the waters of the State and results in the death, disappearance, or injury of any person or in property damage in excess of \$500, or there is complete loss of the vessel, the operator or owner must file a full description of the accident with DNR.

The report must be made within 48 hours if the accident caused a death or a disappearance, or if a person receives medical treatment beyond first aid. Any other accident involving personal injury or property damage must be reported within ten days. If any vessel numbered by the State is involved in an accident on waters outside of the State, and the accident results in the death, disappearance, or injury of any person or in property damage exceeding \$500, the operator or owner must file a complete report with DNR within 30 days.

Background: In 2002 federal legislation was passed that: (1) raised the threshold amount for reportable property damage for recreational boating accidents from \$500 to \$2,000; and (2) provided that reports be made when a collision occurs involving two or more vessels, regardless of the amount of damage to property. DNR advises that the higher threshold better accounts for the rising cost of vessel repairs. DNR also advises that the higher threshold should reduce the number of reports of accidents involving minor or cosmetic damage and, therefore, enable State investigators to focus on reports of safety-related damage. According to DNR, the State always follows the threshold limits set by the U.S. Coast Guard in order to maintain consistent and uniform reporting of boating accidents.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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