

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 61 (Chairman, Education, Health, and Environmental Affairs Committee)
(By Request – Departmental – Natural Resources)

Education, Health, and Environmental Affairs

Environmental Matters

Department of Natural Resources - Vessel Operation - Regulations

This departmental bill requires the Department of Natural Resources (DNR) to adopt regulations governing the operations of vessels so that each vessel of a particular type (*i.e.*, motorboat, canoe/kayak, personal watercraft) or size (length of vessel) may be operated with equal freedom or under similar requirements as other vessels of that type or size.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources.

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: 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 adopt regulations governing the operations of a specific type or size of vessel.

Background: When DNR reviews citizen petitions regarding vessel operations, it often finds that the problem (*e.g.*, wake damage caused to vessels at a marina) is not caused by all vessels, but by one select group of vessels of a specified type and/or size. Because DNR does not currently have the authority to adopt regulations governing the operations of a specific type or size of vessel, DNR traditionally addresses public concerns by restricting the operations of all vessels. DNR would have greater flexibility for waterway management if it could differentiate by type or size of vessel in the regulations governing vessel operations.

Additional Information

Prior Introductions: HB 73 of 2001, as introduced, was similar to this legislation. The bill was amended to be specific to personal watercraft and was enrolled as Chapter 638.

Cross File: None.

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

Fiscal Note History: First Reader - January 19, 2004
n/ljm

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