

By: **Delegates Mayer, Boteler, Cryor, Frank, Jameson, Lee, McComas, McConkey, Sophocleus, and Wood**

Introduced and read first time: February 2, 2006

Assigned to: Environmental Matters

Re-referred to: Judiciary, March 15, 2006

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2006

CHAPTER _____

1 AN ACT concerning

2 **Department of Natural Resources - ~~Motorized Vessels - Driver's License~~**
3 **Information Reckless Operation - Subsequent Offenders**

4 FOR the purpose of ~~requiring the Department of Natural Resources to coordinate~~
5 ~~with the Motor Vehicle Administration to develop a certain database; requiring~~
6 ~~the Department to develop and implement a program to require owners of~~
7 ~~motorized vessels to obtain a certain affidavit from any person the owner allows~~
8 ~~to use the owner's vessel, including a person to whom the owner rents, leases, or~~
9 ~~lends the vessel; requiring the Department to develop and implement a program~~
10 ~~to require owners of motorized vessels to forward certain affidavits to the~~
11 ~~Department; requiring the Department, in consultation with the Motor Vehicle~~
12 ~~Administration, to adopt certain regulations; and generally relating to owners of~~
13 ~~motorized establishing a certain penalty for a certain subsequent offense~~
14 ~~relating to operation of a vessel; and generally relating to certain offenses~~
15 ~~relating to operation of vessels.~~

16 BY ~~adding to~~ repealing and reenacting, with amendments,
17 Article - Natural Resources
18 Section ~~8-744~~ 8-738.1
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2005 Supplement)

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

1

Article - Natural Resources2 ~~8-744.~~3 ~~(A) THE DEPARTMENT SHALL:~~

4 ~~(1) COORDINATE WITH THE MOTOR VEHICLE ADMINISTRATION TO~~
5 ~~DEVELOP A DATABASE THAT COMPARES THE NAMES OF INDIVIDUALS WHO HAVE~~
6 ~~APPLIED UNDER § 8-712 OF THIS SUBTITLE FOR THE ISSUANCE OR RENEWAL OF A~~
7 ~~CERTIFICATE OF NUMBER FOR A MOTORIZED VESSEL WITH THE NAMES OF~~
8 ~~INDIVIDUALS WHOSE DRIVER'S LICENSE IS SUSPENDED OR REVOKED BY THE MOTOR~~
9 ~~VEHICLE ADMINISTRATION;~~

10 ~~(2) DEVELOP AND IMPLEMENT A PROGRAM TO REQUIRE OWNERS OF~~
11 ~~MOTORIZED VESSELS TO OBTAIN AN AFFIDAVIT FROM ANY PERSON THE OWNER~~
12 ~~ALLOWS TO OPERATE THE OWNER'S MOTORIZED VESSEL, INCLUDING ANY PERSON~~
13 ~~TO WHOM THE OWNER RENTS, LEASES, OR LENDS THE VESSEL, CERTIFYING THAT~~
14 ~~THE PERSON DOES NOT HAVE A DRIVER'S LICENSE THAT IS SUSPENDED OR~~
15 ~~REVOKED BY THE MOTOR VEHICLE ADMINISTRATION; AND~~

16 ~~(3) DEVELOP AND IMPLEMENT A PROGRAM TO REQUIRE OWNERS OF~~
17 ~~MOTORIZED VESSELS TO FORWARD TO THE DEPARTMENT ALL AFFIDAVITS~~
18 ~~OBTAINED UNDER ITEM (2) OF THIS SUBSECTION.~~

19 ~~(B) THE DEPARTMENT, IN CONSULTATION WITH THE MOTOR VEHICLE~~
20 ~~ADMINISTRATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.~~

21 8-738.1.22 ~~(a) A person may not:~~

23 ~~(1) Operate a vessel recklessly or in a manner that may endanger~~
24 ~~another or the property of another on a bay, creek, lake, river, or stream in the State;~~
25 ~~or~~

26 ~~(2) Come into a wharf or bathing shore recklessly or in a manner that~~
27 ~~may endanger a person or property.~~

28 ~~(b) A person who violates this section is guilty of a misdemeanor and on~~
29 ~~conviction is subject to:~~

30 ~~(1) FOR A FIRST CONVICTION, imprisonment [for] not exceeding 30 days~~
31 ~~or a fine of not less than \$25 and not exceeding \$200 or both; AND~~

32 ~~(2) FOR A SECOND OR SUBSEQUENT CONVICTION, IMPRISONMENT NOT~~
33 ~~EXCEEDING 60 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.~~

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2006.

