

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 527

(Delegate V. Clagett)

Environmental Matters

Education, Health, and Environmental Affairs

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**Natural Resources - Abandoned Vessel - Definition**

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This bill reduces the length of time, from 90 days to 30 days, that a vessel must remain at a private dock or at or near waters' edge on private property without consent in order to be declared "abandoned."

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**Fiscal Summary**

**State Effect:** While the bill does not significantly affect State finances, it may expedite the Department of Natural Resources' (DNR) abandoned vessel removal efforts.

**Local Effect:** While the bill does not significantly affect local finances, it may expedite local governments' abandoned vessel removal efforts.

**Small Business Effect:** Minimal or none.

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**Analysis**

**Current Law:** An "abandoned vessel" is any vessel that:

- is left illegally or has remained without permission for more than 30 days on public property, including public marinas, docks, or boatyards;
- has remained at a private marina, a private boatyard, a private dock, or at or near waters' edge on private property without the consent of the owner or person in control of the property for more than 90 days;
- has remained on other private property for more than 180 days without the consent of the owner or person in control of the property; or

- has been found adrift or unattended in or upon the waters of the State, and is found in a condition of disrepair as to constitute a hazard or obstruction to the use of the waters of the State or presents a potential health or environmental hazard.

**Background:** DNR's Abandoned Boat and Debris Removal Program supports the removal of abandoned boats and debris that are hazardous to the general boating public or pose a health or environmental hazard. The Governor's proposed fiscal 2011 budget includes \$250,000 in Waterway Improvement Funds for State and local efforts to remove abandoned boats and dangerous debris. Once a vessel is abandoned, it may be disposed of or removed by the property owner, DNR, or a local jurisdiction authorized by DNR. DNR advises that the vast majority of abandoned vessels are removed by private property owners.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Carroll, Harford, and Montgomery counties; Department of Natural Resources; Department of State Police; Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - February 22, 2010  
mpc/lgc Revised - House Third Reader - April 1, 2010

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