

# SENATE BILL 74

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3lr0080

(PRE-FILED)

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

Requested: October 11, 2012

Introduced and read first time: January 9, 2013

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vessels – Operating While Under the Influence of or Impaired by Alcohol or**  
3 **Drugs**

4 FOR the purpose of providing that certain alcohol– or drug–related offenses apply to a  
5 person operating a vessel propelled only by sail; and generally relating to  
6 operating a vessel while under the influence of or impaired by alcohol or drugs.

7 BY repealing and reenacting, without amendments,  
8 Article – Natural Resources  
9 Section 8–738(a)  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume)

12 BY repealing and reenacting, with amendments,  
13 Article – Natural Resources  
14 Section 8–738(g)  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume)

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

19 **Article – Natural Resources**

20 8–738.

21 (a) Subject to subsection (g) of this section, a person may not operate or  
22 attempt to operate a vessel while the person:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (1)    Is under the influence of alcohol;
- 2           (2)    Is impaired by alcohol;
- 3           (3)    Is so far impaired by any drug, combination of drugs, or  
4 combination of one or more drugs and alcohol that the person cannot operate a vessel  
5 safely; or
- 6           (4)    Is impaired by any controlled dangerous substance, as defined in §  
7 5–101 of the Criminal Law Article, unless the person is entitled to use the controlled  
8 dangerous substance under the laws of the State.
- 9           (g)    This section applies to the following:
- 10           (1)    A vessel required to be registered with the Department under this  
11 subtitle;
- 12           (2)    A vessel required to have a valid number awarded in accordance  
13 with a federal law or a federally approved numbering system of another state; [and]
- 14           (3)    A vessel from a foreign country using the waters of this State; **AND**
- 15           (4)    **A VESSEL PROPELLED ONLY BY SAIL.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 June 1, 2013.