

SENATE BILL 74

M1

3lr0080

(PRE-FILED)

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 6, 2013

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-738.

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

4 (1) Is under the influence of alcohol;

5 (2) Is impaired by alcohol;

6 (3) Is so far impaired by any drug, combination of drugs, or
7 combination of one or more drugs and alcohol that the person cannot operate a vessel
8 safely; or

9 (4) Is impaired by any controlled dangerous substance, as defined in §
10 5-101 of the Criminal Law Article, unless the person is entitled to use the controlled
11 dangerous substance under the laws of the State.

12 (g) This section applies to the following:

13 (1) A vessel required to be registered with the Department under this
14 subtitle;

15 (2) A vessel required to have a valid number awarded in accordance
16 with a federal law or a federally approved numbering system of another state; [and]

17 (3) A vessel from a foreign country using the waters of this State; AND

18 (4) **A VESSEL PROPELLED ONLY BY SAIL.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.