

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 46

(Senator Reilly)

Education, Health, and Environmental Affairs

Environment and Transportation

---

**Natural Resources – State Boat Act – Carbon Monoxide Safety**  
**(Matthew’s Law)**

---

This bill requires the Department of Natural Resources (DNR) to (1) require that a course of instruction in boating safety education include specified information on carbon monoxide poisoning; (2) develop an informational brochure on the dangers of carbon monoxide poisoning; and (3) make the informational brochure available to the public at its regional service centers. DNR must also report on specified issues related to carbon monoxide safety.

---

**Fiscal Summary**

**State Effect:** The bill does not materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Bill Summary:** DNR must require that a course of instruction in boating safety education include information on (1) the danger of being overcome by carbon monoxide poisoning while on or behind a motorboat; (2) the danger of being overcome by carbon monoxide poisoning in an “enclosed occupancy compartment”; (3) strategies to prevent carbon monoxide poisoning while boating; and (4) the types of equipment that emit carbon monoxide, such as engines, generators, and gas stoves. DNR must also develop an informational brochure on the dangers of (1) carbon monoxide poisoning while boating and (2) being overcome by carbon monoxide poisoning in an enclosed occupancy

compartment. DNR must make the brochure available to the public at the department's regional service centers. DNR is authorized to adopt regulations to implement the provisions of the bill related to the informational brochure.

“Enclosed occupancy compartment” means a contiguous enclosed space, surrounded by boat structure, that may be occupied by an individual.

By December 1, 2018, DNR must report to the General Assembly on (1) any changes to marine manufacturing industry standards relating to carbon monoxide; (2) the availability of plug-in or battery-powered marine certified carbon monoxide detectors; and (3) best practices in preventing carbon monoxide poisoning relating to motorboat operation.

**Current Law:** Under the State Boat Act, DNR's responsibilities include promoting the safety of life and property through an educational program directed to boat owners, boat operators, and others concerning the inherent hazards to vessels and people on the waters, including precautions to be observed, and emergency action. The department must coordinate a statewide program of boating safety instruction and certification and ensure that a course of boating safety education is available within each county. With certain exceptions, a person born on or after July 1, 1972 must have in their possession a certificate of boating safety education while operating a numbered vessel for pleasure on waters of the State (with certain exceptions, any vessel equipped with propulsion machinery of any type on the waters of the State must be numbered for identification).

**Background:** A DNR informational booklet for recreational boaters indicates that carbon monoxide is a potentially deadly gas produced any time a carbon-based fuel, such as gasoline, propane, charcoal, or oil, burns. Sources of carbon monoxide on a boat can include gasoline engines and generators, cooking ranges, space heaters, and water heaters. DNR indicates that the current Maryland boating safety education course incorporates information on the dangers of carbon monoxide poisoning and prevention strategies.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 795 (Delegates Malone and McComas) – Environment and Transportation.

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

**Fiscal Note History:** First Reader - January 30, 2018  
mm/lgc Third Reader - March 22, 2018  
Revised - Amendment(s) - March 22, 2018

---

Analysis by: Scott D. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510