



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 22, 2024

BILL NUMBER: House Bill 770 - First Reader

SHORT TITLE: Operating a Vessel While Under the Influence of Alcohol – Enforcement (Nick’s Law)

DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports House Bill 770, which requires the Department to establish and maintain a database of individuals whose privilege to operate a vessel in Maryland has been suspended. This bill also places requirements upon the courts to transmit certain data concerning these suspended individuals to the department in order that Natural Resources Police Officers, while on patrol, can utilize the required database to positively identify those persons if encountered operating a vessel while they are suspended. HB 770 modifies the period of suspension that the court may impose upon individuals who are convicted of violating NR § 8-738 (Operating vessel while under the influence of or impaired by alcohol and/or drugs). The Department is working with the sponsors on an amendment that would establish penalties specific to individuals who are apprehended while operating a vessel during the period that their privilege to do so is suspended. The penalties proposed by this amendment are intended to discourage suspended individuals from operating a vessel while suspended, which is currently not addressed in statute.

BACKGROUND INFORMATION

There is no recent legislative history concerning modifications to periods of suspension for violating NR § 8-738. There is no legislative history establishing additional penalties for operating a vessel while suspended.

BILL EXPLANATION

This bill addresses periods of suspension that the court may impose for violating NR § 8-738. The bill also establishes that a database which identifies individuals who have been suspended by the court for these violations must be created and maintained by the Department and requires that the court transmit certain information to the Department to populate this database. The bill also establishes new penalties for operating a vessel while suspended.

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