A BILL ENTITLED

AN ACT concerning Natural Resources – State Boat Act – Fees and Requirements

FOR the purpose of altering the fee for certain manufacturer’s and dealer’s licenses; altering the expiration date for a certain certificate; subjecting certain vessels operated by sail to certain numbering requirements; altering certain fees related to the titling and registration of vessels; altering the fee for a use sticker for certain vessels; establishing a certain optional decal and decal fee for certain vessels; altering the fee for a manufacturer’s or dealer’s certificate number; altering the fee for the issuance of certain titles; providing for a delayed effective date for certain provisions of this Act; and generally relating to fees and requirements for vessel titling, registration, decals and certificates and for vessel dealers and manufacturers.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–710(c), 8–710.2(c), 8–712(a) and (c), 8–712.1, 8–714(c), and 8–716(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Natural Resources
Section 8–712.4
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–712(c) and 8–712.1(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.
SECTI0N 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

8–710.

(c) Application for a manufacturer’s or dealer’s license is made on the form the Department prescribes and contains the name and address of the applicant. If the applicant is a partnership, the application shall include the name and address of each partner. If the applicant is a corporation, the application shall contain the names of the principal officers of the corporation, the state of incorporation, the addresses of every place where the business is conducted, the nature of the business, and any other information the Department requires. Every application shall be verified by oath or affirmation of the applicant if an individual, or by the partner or officer if the applicant is a partnership or corporation. A license fee fixed by the Department not to exceed [§25] $100 shall accompany every application.

8–710.2.

(c) A temporary certificate of boat number expires when the first of either of the following occurs:

(1) A certificate of boat number for the vessel is issued by the Department; or

(2) [90] 60 days expire from the date the temporary certificate was issued by the dealer.

8–712.

(a) (1) Any vessel equipped with A SAIL OR propulsion machinery of any type on the waters of the State shall be numbered for identification in accordance with this subtitle and any regulation pursuant to it. This provision does not apply to the following vessels:

(i) A vessel which has a valid document issued by the United States Coast Guard or its successor;

(ii) A vessel with a valid number awarded pursuant to federal law or a federally approved numbering system of another state, if the number awarded is displayed in accordance with the requirements of that system, and the certificate of number is available for inspection whenever the vessel is in use;
(iii) A vessel from a country other than the United States temporarily using the waters of the State for less than 90 days;

(iv) A vessel used for public service and owned by the United States government, another state, or any political subdivision;

(v) A ship’s lifeboat;

(vi) A vessel UNDER 16 FEET IN LENGTH propelled only by sail;

(vii) A vessel numbered according to the Federal Boat Safety Act of 1971; or

(viii) A vessel manually propelled.

(2) The Department, by regulation, for the period the Department prescribes may exempt any vessel or class of vessels from the numbering provisions of this subtitle, if the vessel or class of vessels is exempted from the federal numbering requirements by statute, or rule or regulation.

(c) (1) Certificates of number issued under this section shall be valid for a period not to exceed 2 years. The owner of the vessel may apply every other year for renewal of the certificate. The renewed certificate shall expire on December 31 of the calendar year following the year the certificate is issued. [The fee for a 2–year certificate for vessels is $24. Vessels 16 feet in length or less and equipped with a 7 1/2 horsepower motor or less are exempt from this fee. The fee to replace a lost, destroyed, or corrected certificate is $2.] The Department shall record any transaction or transfer of numbered boats. The Department may record any amount of money owing on a vessel required to be numbered at the time of sale. The Department may not effect a transfer of ownership until the amount of money owed as shown on the records of the Department is fully paid or recorded on the new title. Any vessel that is required to be numbered under this section that is exempt prior to January 1, 1974 shall be exempt from payment of this title tax.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN APPLICATION FOR A CERTIFICATE OF NUMBER SHALL BE ACCOMPANIED BY THE FEE INDICATED:

(I) VESSEL UNDER 16 FEET IN LENGTH ......................... $ 25

(II) VESSEL 16 FEET TO LESS THAN 32 FEET IN LENGTH ..........................................................$ 75

(III) VESSEL 32 FEET TO LESS THAN 45 FEET IN LENGTH ..................................................................$ 125
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(IV) VESSEL 45 FEET TO 65 FEET IN LENGTH .................. $ 250

(V) VESSEL LONGER THAN 65 FEET ................................. $ 350

(VI) REPLACEMENT OR CORRECTED CERTIFICATE .......... $10.

[(2)] (3) Emergency rescue boats and fire boats that belong to fire departments or rescue squads in Maryland:

(i) Shall be exempt from all registration fees; but

(ii) Shall apply for a registration renewal every 3 years.

8–712.1.

(a) (1) An owner of a vessel that has a valid document issued by the United States Coast Guard and that is used principally on the waters of the State for pleasure shall apply to the Department for a Maryland use sticker.

(2) The Department shall issue a Maryland use sticker to any person who submits an application and pays a fee as required by subsection (b) of this section.

(3) The Maryland use sticker issued under this section shall be valid for a period not to exceed 2 years expiring on December 31 of the calendar year following the year the sticker is issued.

(b) The owner of the vessel shall:

(1) Submit an application to the Department on the form that the Department requires and be signed by every owner of the vessel; and

(2) Pay to the Department [an application fee of $10 for the 2–year sticker.] A FEE OF:

(I) $25 FOR A VESSEL UNDER 16 FEET IN LENGTH;

(II) $75 FOR A VESSEL 16 FEET TO LESS THAN 32 FEET IN LENGTH;

(III) $125 FOR A VESSEL 32 FEET TO LESS THAN 45 FEET IN LENGTH;

(IV) $250 FOR A VESSEL 45 FEET TO 65 FEET IN LENGTH;

(V) $350 FOR A VESSEL LONGER THAN 65 FEET; OR
(VI) $10 FOR A REPLACEMENT STICKER.

(c) Within 30 days after the sale or other transfer of a vessel that is displaying or should display a sticker under this section:

(1) The transferor shall give notice of the transfer to the Department on a form that the Department requires; and

(2) If the transferee intends to continue to use the vessel principally on the waters of the State, the transferee shall submit an application for a Maryland use sticker and pay the fee as required by subsection (b) of this section.

(d) The Maryland use sticker shall be displayed on or about the forward half of the vessel.

(e) Unless the vessel that is subject to the requirement of this section displays a current sticker:

(1) A person may not operate the vessel on the waters of the State; and

(2) The owner may not knowingly permit the vessel to be operated on the waters of the State.

8–712.4.

(A) The owner of a vessel without propulsion machinery used principally on the waters of the State and not subject to the requirements of § 8–712 or § 8–712.1 of this subtitle may apply to the Department for a nonmotorized vessel decal on a form approved by the Department.

(B) The nonmotorized vessel decal issued under this section shall be valid for a period not to exceed 2 years and shall expire on December 31 of the calendar year following the year the decal was issued.

(C) The biennial fee for a nonmotorized vessel decal is $12.

(D) The nonmotorized vessel decal shall be displayed on the exterior of the vessel.
(E) **Within 30 Days After the Sale or Other Transfer of a Vessel That Is Displaying or Should Display a Nonmotorized Vessel Decal Under This Section:**

(1) The transferor shall give notice of the transfer to the Department on a form that the Department requires; and

(2) If the transferee intends to continue to use the vessel principally on the waters of the State, the transferee may submit an application for a nonmotorized vessel decal and pay the fee as required under subsection (c) of this section.

8–714.

(c) Each application for the manufacturer’s or dealer’s certificates of number shall be on forms the Department approves and be accompanied by a fee of [$24] $100. The certificate of number issued under this section is valid for a period not to exceed 2 years and shall expire on December 31 of the calendar year following the year the certificate is issued.

8–716.

(b) The Department shall charge a [$2] $25 fee to issue a certificate of title, a transfer of title, or a duplicate or corrected certificate of title.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

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8–712.

(c) (1) Certificates of number issued under this section shall be valid for a period not to exceed 2 years. The owner of the vessel may apply every other year for renewal of the certificate. The renewed certificate shall expire on December 31 of the calendar year following the year the certificate is issued. The Department shall record any transaction or transfer of numbered boats. The Department may record any amount of money owing on a vessel required to be numbered at the time of sale. The Department may not effect a transfer of ownership until the amount of money owed as shown on the records of the Department is fully paid or recorded on the new title. Any vessel that is required to be numbered under this section that is exempt prior to January 1, 1974 shall be exempt from payment of this title tax.

(2) Except as provided in paragraph (3) of this subsection, an application for a certificate of number shall be accompanied by the fee indicated:
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(i) Vessel under 16 feet in length ..............................................[§ 25] $50

(ii) Vessel 16 feet to less than 32 feet in length ..................................................[§ 75] $125

(iii) Vessel 32 feet to less than 45 feet in length ...................................................[§ 125] $250

(iv) Vessel 45 feet to 65 feet in length .................................................................[§ 250] $500

(v) Vessel longer than 65 feet ................................................................. [§ 350] $700

(vi) Replacement or corrected certificate ......................................................... $10.

(3) Emergency rescue boats and fire boats that belong to fire departments or rescue squads in Maryland:

(i) Shall be exempt from all registration fees; but

(ii) Shall apply for a registration renewal every 3 years.

8–712.1.

(b) The owner of the vessel shall:

(1) Submit an application to the Department on the form that the Department requires and be signed by every owner of the vessel; and

(2) Pay to the Department a fee of:

(i) [§25] $50 for a vessel under 16 feet in length;

(ii) [§75] $125 for a vessel 16 feet to less than 32 feet in length;

(iii) [§125] $250 for a vessel 32 feet to less than 45 feet in length;

(iv) [§250] $500 for a vessel 45 feet to 65 feet in length;

(v) [§350] $700 for a vessel longer than 65 feet; or

(vi) $10 for a replacement sticker.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2014.
SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect October 1, 2012.