

(2) Reckless operation; or

(3) Operating under the influence of alcohol, any drug, combination of drugs, or combination of drugs and alcohol, in violation of § 8-738 of this subtitle.

8-801.

(a) In order to conserve, protect, and use water resources of the State in accordance with the best interests of the people of Maryland, it is the policy of the State to control, so far as feasible, appropriation or use of surface waters and groundwaters of the State. Also, it is State policy to promote public safety and welfare[,] and control and [supervise] SUPERVISE, so far as is feasible, construction, reconstruction, and repair of dams, reservoirs, and other waterworks in any waters of the State.

8-802.

(a) Every person is required to obtain a permit from the Department to appropriate or use[,] or begin to construct any plant, building, or structure which may appropriate or use any waters of the State, whether surface water or groundwater. The permit is obtained upon written application to the Department. The applicant shall provide the Department with satisfactory proof that the proposed withdrawal of water will not jeopardize the State's natural resources.

(b) This section does not apply to use of water for:

(1) Domestic purposes other than for heating and cooling; OR

(d) When the Department determines that a water supply emergency exists and available water supplies are inadequate in an area to meet the needs of all persons who have permits under this subtitle, the following uses shall have priority for appropriation or use of water in the order listed:

(2) Agricultural [uses] USES, including the processing of agricultural products; and

(e) Notwithstanding any other provision of this subtitle, an application for a certificate of public convenience and necessity associated with power plant construction which involves use or diversion of waters of the State[,] made to the Public Service Commission under Article 78 of the Code constitutes an application for the permit required by this section, and the provisions of § 3-306 of this article apply. If an application is made to the Public Service Commission, the hearing provided for by this subtitle is not required. All evidence relevant to the purposes of this subtitle shall be presented at the hearing held by the Public Service Commission, as required by Article 78, § 54A OF THE CODE. The permit required by this subtitle is included in the certificate of public convenience and necessity issued by the Public Service Commission.

8-803.

(a) (1) A person [is required to] SHALL obtain a permit from the Department to construct, reconstruct, or repair any reservoir, dam, or waterway obstruction [or], TO make, construct, or permit to be made or constructed[,] any