

(a) A person may not hunt or purposely[,] or unnecessarily disturb wild waterfowl from or in a boat of any description within the State. However, this section does not prohibit a person from:

(1) Bushwacking in the waters of the Susquehanna Flats, Elk River, and that portion of the Sassafras River in Cecil County located west of 75° 58' 45", and in the waters of Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman Bay and their respective tributaries in Worcester County;

(2) Sneakboating in Monocacy River in Carroll or Frederick counties, and in the waters of the Potomac in Garrett, Allegany, Washington, [Frederick] FREDERICK, and Montgomery counties;

(3) Immediately retrieving wounded or dead wild waterfowl by any boat propelled by motor if the bird is wounded or killed legally; and

(4) Hunting wild waterfowl by boat on State or federally owned or controlled hunting areas if permitted by federal and State rules and regulations.

(b) The owner of any boat propelled by or equipped with sail or engines of any kind, or the owner of any share or interest in the boat, may not use or permit [its] THE BOAT'S use for any of the acts prohibited by the provisions of this section. A person may not loan or hire the boat at any time to any person without making due inquiry into the purpose of those applying for [its] THE BOAT'S use and without reasonably ascertaining that those applying do not intend to use [it] THE BOAT to violate the provisions of this section and that the persons are not equipped with any guns or ammunition suitable for shooting wild waterfowl.

(c) The following shall be prima facie evidence of an intentional violation of this section and of the ownership of the boat, guns, and equipment by persons convicted of violating this section:

(1) The location of any power boat propelled by sail or engine of any description having guns or other equipment used for hunting wetland game birds in or near waters used by wild waterfowl[.];

(2) The firing of any shots from any boat of this description in or near waters used by wild waterfowl[.]; AND

(3) The moving of any boat of this description in the direction of waters inhabited at that time by wild waterfowl to cause them to fly from the place where they are bedded.

10-607.

(b) A resident may apply for a gunning rig license to the clerk of the Circuit Court of the county in which the gunning rig is kept or moored when not in use during the hunting season. Each applicant shall certify that [he] THE APPLICANT is a resident of the State and that [he] THE APPLICANT will comply with the federal and State laws and [rules and] regulations controlling the hunting of wild waterfowl. If [two] 2 or more residents own the same rig, all parties shall sign the application.