

of any bulk oil in the State; imposing a penalty for failure to post said bond; providing that the compensatory fee collectible from a person responsible for oil spillage shall cover the cost of eliminating the residue of oil spillage and the cost of restoring areas damaged by the spillage to their original condition; and providing that the person responsible for oil spillage shall be liable to any other person for any damages to his real or personal property directly caused by the spillage; and relating generally to oil discharge and oil spillage in Maryland waters.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Sections 29AB and 29BC be and they are hereby added to Article 96A of the Annotated Code of Maryland (1964 Replacement Volume and 1970 Supplement), title "Water Resources," subtitle "Pollution Abatement," to follow immediately after Sections 29A and 29B thereof; and to repeal and re-enact, with amendments. Section 29B of Article 96A of the Annotated Code of Maryland (1964 Replacement Volume and 1970 Supplement), same title and subtitle thereof, and all to read as follows:

29AB.

(a) ~~Any~~ **EXCEPT FOR A VESSEL CARRYING OR RECEIVING TWENTY-FIVE (25) BARRELS OF OIL OR LESS,** ANY vessel, whether or not self-propelled, in or entering upon the waters of the State for the purpose of discharging or receiving a cargo of any bulk oil in the State shall post a bond with the Maryland Port Authority or the Department of Natural Resources of at least ~~twenty five thousand dollars (\$25,000.00)~~ **ONE HUNDRED DOLLARS (\$100.00) PER GROSS TON OF OIL CARGO to the State.** The bond shall be in a form approved by the Authority ~~or~~ **AND** the Department and may be obtained individually or jointly by the vessel, its owner or agent, its charterer, or by the owner or operator of the terminal at which the vessel discharges or receives the bulk oil. If the Authority or the Department determines that oil has been discharged or spilled into the waters of the State from the vessel, the bond shall be forfeited, **REGARDLESS OF ANY ATTRIBUTED FAULT,** to the extent of the costs incurred by the Authority or the Department in eliminating the residue of the oil discharge or spillage, to the extent of damage caused to the natural and recreational resources of the State, and to the extent of any otherwise uncollectible fines levied against the vessel, its owner or agent, its charter, or the owner or operator of the terminal at which the vessel discharges or receives the bulk oil. The remedies provided in this section shall be in addition to all other remedies available. No bond shall be released without certification by the Authority or the Department that the vessel has not been a source of oil discharge or spillage into the waters of the State. **WHERE A VESSEL HAS PRESENTED ADEQUATE EVIDENCE OF FINANCIAL RESPONSIBILITY TO THE FEDERAL GOVERNMENT, IT SHALL BE EXEMPT FROM THE MARYLAND PROVISIONS REQUIRING THE POSTING, AND FORFEITURE, ON CERTAIN CONDITIONS OF A BOND.**

(b) Any vessel in the waters of the State for the purpose of discharging, or which receives, cargo of bulk oil without being bonded as provided in subsection (a) of this section, and the owner, agent, and