

(a) Except for a vessel carrying or receiving 25 barrels or less of oil, any vessel, whether or not self-propelled, in or entering upon the waters of the state to discharge or receive a cargo of any bulk oil in the State shall post a bond of \$100 per gross ton of vessel with either the Maryland Port Administration or the Department of [Health and Mental Hygiene] NATURAL RESOURCES. The bond shall be in a form approved by the Administration and the Department and may be obtained individually or jointly by the vessel, its owner or agent, its charterer, or the owner or operator of the terminal at which the vessel discharges or receives the bulk oil. If the Maryland Port Administration or the Department of [Health and Mental Hygiene] NATURAL RESOURCES determines oil has been discharged or spilled into the waters of the State from the vessel, the bond shall be forfeited, to the extent of the costs incurred by these units to eliminate the residue of 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 fine levied against the vessel, its owner or agent, its charterer, or the owner or operator of the terminal at which the vessel discharges or receives the bulk oil. The remedies provided in this section are in addition to every other remedy available. Bond may not be released without certification by the Maryland Port Administration or the Department of [Health and Mental Hygiene] NATURAL RESOURCES that the vessel has not been a source of oil discharge or spillage into the waters of the State. If a vessel presents adequate evidence of financial responsibility to the federal government, it shall be exempt from the Maryland provisions requiring posting, and forfeiture, on certain conditions of a bond.

8-1408.

The Maryland Port Administration and the Department of [Health and Mental Hygiene] NATURAL RESOURCES shall charge and collect a compensatory fee from the person responsible for any oil spillage. This fee shall cover the cost of labor, equipment operation, and material necessary to eliminate the residue of oil spillage, and the cost of restoring the area damaged by the spillage to its original condition. The fee is retained by the unit charging the fee.

8-1410.

(b) Notwithstanding any provision of this subtitle, any person discharging or permitting the discharge of oil, or who either actively or passively participates in the discharge or spilling of oil into the waters of the State either from a land-based installation, including vehicles in transit, or from any vessel, ship, or boat of any kind, shall report the incident immediately to the appropriate Federal authority or the Department of [Health and Mental Hygiene] NATURAL RESOURCES, or both. He shall remain available until clearance to leave is given by the