

the interpretation of this Act; providing for the effective date of this Act; and generally relating to maximum noise levels from vessels while operating on tidal waters of the State.

BY adding to

Article - Natural Resources
Section 8-725.2
Annotated Code of Maryland
(1983 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

8-725.2.

(A) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO PERSONS WHO REGULARLY CATCH OR HARVEST SEAFOOD FOR SALE WHILE ACTUALLY ENGAGED IN THE CATCHING OR HARVESTING OF THE SEAFOOD.

~~(B)~~ (C) (1) EXCEPT AS PROVIDED IN SUBSECTION ~~(e)~~ (D) OF THIS SECTION, A PERSON MAY NOT OPERATE A VESSEL ON THE TIDAL WATERS OF THE STATE SO AS TO EXCEED A NOISE LEVEL OF 75DB(A), MEASURED FROM A POINT ON SHORE USING GENERALLY ACCEPTED TESTING PROCEDURES IMPOSED BY REGULATIONS ADOPTED BY THE DEPARTMENT BASED ON THE MARINE ENVIRONMENT SOUND LEVEL MEASUREMENT PROCEDURE, SAE J1970.

(2) AN OWNER OR LESSEE OF A VESSEL MAY NOT ALLOW THE VESSEL TO BE OPERATED ON THE TIDAL WATERS OF THE STATE IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION.

~~(C)~~ (D) A PERSON MAY NOT OWN OR OPERATE ON THE TIDAL WATERS OF THE STATE ANY VESSEL MANUFACTURED AFTER JANUARY 1, 1990 THAT IS NOT EQUIPPED WITH A MUFFLER OR DEVICE OR SYSTEM WHICH MUFFLES OR SUPPRESSES ENGINE NOISE IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT.

~~(D)~~ (E) THE DEPARTMENT MAY ADOPT REGULATIONS TO PERMIT EXCEPTIONS TO THIS SECTION, INCLUDING AN EXCEPTION FOR POWER RACING--VESSELS PARTICIPATING IN A U.S. COAST GUARD OR DEPARTMENT SANCTIONED RACE EXCEPTIONS FOR:

(1) ECONOMIC HARDSHIP;

(2) VESSELS PARTICIPATING OR PREPARING TO PARTICIPATE IN A U.S. COAST GUARD OR DEPARTMENT APPROVED RACE OR EVENT; AND