

Article - Natural Resources

Section 8-725.4

Annotated Code of Maryland

(1990 Replacement Volume and 1995 Supplement)

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

Article - Natural Resources

8-725.4.

(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) (1) [Except as provided in subsection (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 J 1970.

(2) (i)] Except as provided in subsection (d) of this section, a person may not operate a vessel on the [nontidal] waters of the State so as to exceed the following noise levels:

~~[1.] (I) For engines manufactured before January 1, 1993, a noise level of 90dB(a); or,~~

~~[2.] (II) For engines manufactured on or after January 1, 1993, a noise level of 88dB(a).~~

[(ii)](2) Noise level limits for [nontidal] waters OF THE STATE shall be measured using generally accepted testing procedures imposed by regulations adopted by the Department based on the Marine Environment Sound Level Measurement Procedure, SAE J 2005.

(3) An owner or lessee of a vessel may not allow the vessel to be operated on waters of the State in violation of [paragraphs (1) and (2)] PARAGRAPH (1) of this subsection.

(c) A person may not own or operate on any 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) The Department may adopt regulations to permit exceptions to this section, including exceptions for:

- (1) Economic hardship;