

(B) "BALLAST WATER" MEANS ANY WATER AND MATTER TAKEN ON BOARD A VESSEL TO CONTROL OR MAINTAIN TRIM, DRAFT, STABILITY, OR STRESSES OF THE VESSEL, WITHOUT REGARD TO THE MANNER IN WHICH IT IS CARRIED.

(C) "FEDERAL GUIDELINES" MEANS THE PROVISIONS OF 33 C.F.R. PART 151, SUBPART D, "BALLAST WATER MANAGEMENT FOR CONTROL OF NONINDIGENOUS SPECIES".

(D) "STATE GUIDELINES" MEANS PROCEDURES FOR BALLAST WATER MANAGEMENT THAT ARE CONSISTENT WITH FEDERAL GUIDELINES.

~~(D)~~ (E) "VESSEL" MEANS A SELF-PROPELLED SHIP IN COMMERCE OF THREE HUNDRED GROSS TONS OR MORE.

5-5A-02.

THE GENERAL ASSEMBLY FINDS THAT:

(1) THE WATERS OF THE STATE ARE A PRECIOUS, IRREPLACEABLE RESOURCE ESSENTIAL TO THE ENVIRONMENT, COMMERCE, AND RECREATION OF CITIZENS AND TOURISTS OF THE STATE;

(2) NONINDIGENOUS AQUATIC SPECIES INTRODUCED INTO WATERS OF THE UNITED STATES FROM BALLAST WATER HAVE CAUSED TREMENDOUS ENVIRONMENTAL AND ECOLOGICAL DAMAGE, DISPLACING NATIVE SPECIES, DEGRADING WATER QUALITY, AND INTERFERING WITH COMMERCE, INCLUDING THE ZEBRA MUSSEL BROUGHT INTO THE GREAT LAKES AND THE UPPER SUSQUEHANNA RIVER;

(3) BALLAST WATER PRACTICES OF COMMERCIAL SHIPPING VESSELS MAY CAUSE IRREVERSIBLE DAMAGE TO WATERS OF THE STATE; AND

(4) PROTECTIVE MEASURES AGAINST THE INTRODUCTION OF NONINDIGENOUS AQUATIC SPECIES FROM BALLAST WATER ARE NECESSARY TO MINIMIZE EXPOSURE OF THE WATERS OF THE STATE TO UNWANTED CONTAMINATION AND DAMAGE CAUSED BY THESE SPECIES.

5-5A-03.

THIS SUBTITLE APPLIES TO ALL VESSELS CARRYING BALLAST WATER INTO THE WATERS OF THE STATE FROM A VOYAGE DESTINED FOR A MARYLAND PORT, EXCEPT:

(1) A VESSEL OF THE UNITED STATES DEPARTMENT OF DEFENSE OR UNITED STATES COAST GUARD SUBJECT TO THE REQUIREMENTS OF § 1103 OF THE NATIONAL INVASIVE SPECIES ACT OF 1996, OR ANY VESSEL OF THE ARMED FORCES, AS DEFINED IN 33 U.S.C. ~~§ 1352(A)(14)~~ § 1322(A)(14), THAT IS SUBJECT TO THE UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF THE ARMED FORCES UNDER 33 U.S.C. § 1322(N); OR

(2) A VESSEL:

(I) THAT DISCHARGES BALLAST WATER OR SEDIMENTS ONLY AT THE LOCATION WHERE THE BALLAST WATER OR SEDIMENTS ORIGINATED, IF THE