

(1) Is left illegally or has remained without permission for more than 30 days on public property, including public marinas, docks, or boatyards;

(2) HAS REMAINED AT THE FOLLOWING LOCATIONS FOR MORE THAN 90 DAYS WITHOUT THE CONSENT OF THE OWNER OR PERSON IN CONTROL OF THE PROPERTY:

(I) A PRIVATE MARINA OR PROPERTY OPERATED BY A PRIVATE MARINA;

(II) A PRIVATE BOATYARD OR PROPERTY OPERATED BY A PRIVATE BOATYARD;

(III) A PRIVATE DOCK; OR

(IV) AT OR NEAR WATERS' EDGE ON PRIVATE PROPERTY;

~~(2) (3)~~ Has remained on private property, ~~including private marinas, docks, or boatyards,~~ OTHER THAN THE PRIVATE PROPERTY DESCRIBED IN ITEM (2) OF THIS SUBSECTION for more than ~~180~~ 90 days without the consent of the owner or person in control of the property; or

~~(2)~~ (4) Has been found adrift or unattended in or upon the waters of the State, and is found in a condition of disrepair as to constitute a hazard or obstruction to the use of the waters of the State or presents a potential health or environmental hazard.

(b) The Department may seize, remove, and take into custody any abandoned vessel. For this purpose, the Department may use its own personnel, equipment, and facilities or use other persons, equipment, and facilities for removing, preserving, or storing abandoned vessels. The Department may not be held liable for any damage to an abandoned vessel which may occur during removal, storage, or custody of the vessel.

(c) (1) NO LATER THAN 15 DAYS BEFORE AN ABANDONED VESSEL IS SEIZED, REMOVED, OR TAKEN INTO CUSTODY UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL SEND A NOTICE, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE TO THE LAST KNOWN REGISTERED OWNER OF THE VESSEL, AS SHOWN ON THE RECORDS OF THE DEPARTMENT.

(2) As soon as reasonably possible but not later than 15 days after the Department takes an abandoned vessel into custody, the Department shall send a notice, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service to the last known registered owner of the vessel and to each secured party, as shown on the records of the Department.

(d) The ~~notice~~ NOTICES REQUIRED BY SUBSECTION (C) OF THIS SECTION shall:

(1) Describe the vessel;

(2) Give the location where the vessel is being held;