

Subsection (c) of this section is new language added to clarify that Subtitle 12 of this title, which provides penalties for a violation of this title, does not apply to this section, which was formerly codified in Article 27.

Defined term: "Person" § 1-101

Article - Natural Resources

8-713.1. OPERATING VESSEL WITH NUMBER, NAME, OR HOME PORT CONCEALED.

(A) APPLICATION OF SECTION.

THIS SECTION DOES NOT SUPERSEDE § 4-1013(A) AND (B) OF THIS ARTICLE, WHICH PROVIDES FOR THE DISPLAY OF AN OYSTER DREDGE BOAT IDENTIFICATION NUMBER.

(B) PROHIBITED.

A PERSON MAY NOT OPERATE KNOWINGLY A VESSEL ON THE NAVIGABLE WATERS OF THE STATE WHILE THE NUMBER, NAME, OR HOME PORT DESIGNATION OF THE VESSEL, AS ASSIGNED OR DOCUMENTED BY THE UNITED STATES COAST GUARD OR CLEARED BY THE UNITED STATES CUSTOMS SERVICE, IS CONCEALED, COVERED, OR DEFACED.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT LESS THAN 1 MONTH AND NOT EXCEEDING 6 MONTHS OR A FINE OF NOT LESS THAN \$150 AND NOT EXCEEDING \$500 OR BOTH.

(D) FORFEITURE.

IN ADDITION TO THE PENALTIES UNDER SUBSECTION (C) OF THIS SECTION, THE COURT MAY ORDER THAT THE VESSEL BE:

(1) FORFEITED TO THE STATE; AND

(2) DELIVERED TO THE DEPARTMENT FOR THE DISPOSITION THAT IS MOST ADVANTAGEOUS TO THE STATE IN THE DISCRETION OF THE DEPARTMENT.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section, which is new language derived without substantive change from former Art. 27, § 582.

In subsection (a) of this section, the reference to "an oyster dredge boat identification number" is substituted for the former reference to "canvas dredge boat licenses" for consistency with § 4-1013(b) of this article.

In subsections (b) and (c) of this section, the former references to "aiders, abettors and counsellors" are deleted as implicit in "a person [who violates this section]" in light of the abrogation of the distinction between a principal and an accessory in CP § 4-204. See CP § 4-204 and General Revisor's Note to the Criminal Law Article.