

Defined terms: "Operate" § 8-701

"Person" § 8-101

"Vessel" § 8-701

8-740.1. FAILURE TO POSSESS SHIP-TO-SHORE COMMUNICATION DEVICE ON CERTAIN VESSELS.

(A) "SHIP-TO-SHORE COMMUNICATION DEVICE" DEFINED.

IN THIS SECTION, "SHIP-TO-SHORE COMMUNICATION DEVICE" MEANS A:

(1) SHIP-TO-SHORE TELEPHONE; OR

(2) ANOTHER MECHANICAL DEVICE THAT ENABLES THE CREW AND EMPLOYEES ON A VESSEL TO ESTABLISH CONTACT WITH A PERSON ON SHORE AS MAY BE NECESSARY TO SEEK ASSISTANCE UNDER ALL REASONABLE CONDITIONS AND IN AN EMERGENCY.

(B) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A VESSEL IN INTERSTATE OR FOREIGN COMMERCE.

(C) PROHIBITED.

A PERSON IN COMMAND OR AN OWNER OF A VESSEL MAY NOT OPERATE THE VESSEL ON THE WATERS OF THE STATE WHILE CARRYING 25 OR MORE PAYING OR GUEST PASSENGERS IN ADDITION TO THE CREW AND EMPLOYEES UNLESS THE VESSEL IS EQUIPPED WITH A SHIP-TO-SHORE COMMUNICATION DEVICE.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100.

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, § 434.

Subsection (a) of this section is revised as a definition for clarity and brevity.

Also in subsection (a) of this section, the former reference to "devices" is deleted in light of Art. 1, § 8, which states that the singular includes the plural.

Also in subsection (a) of this section, the former reference to contacting "points" is deleted as implicit in the reference to contacting a "person".

In subsection (b) of this section, the phrase "does not apply" is substituted for the former reference to this section being not "construed as extending" for clarity and brevity.

Also in subsection (b) of this section and throughout this section, the