

(ii) Is used for the purposes of the organization.

~~(10) THE POSSESSION WITHIN THE STATE OF A VESSEL THAT IS TITLED OR NUMBERED IN ANOTHER STATE OR IS FEDERALLY DOCUMENTED WITH A HOMEPORT OUTSIDE THE STATE, IF THE VESSEL IS WITHIN THE STATE FOR LESS THAN 120 DAYS PER CALENDAR YEAR.~~

(K) (1) FOR PURPOSES OF SUBSECTION (A)(3) OF THIS SECTION, A VESSEL IS DEEMED TO BE HELD FOR MAINTENANCE OR REPAIR IF:

(I) THE MAINTENANCE OR REPAIR WORK IS PROVIDED IN EXCHANGE FOR COMPENSATION;

(II) THE MAINTENANCE OR REPAIR WORK IS PERFORMED PURSUANT TO A SCHEDULE PREESTABLISHED WITH ONE OR MORE MARINE CONTRACTORS; AND

(III) THE TOTAL COST OF THE MAINTENANCE OR REPAIR WORK IS AT LEAST TWO TIMES THE REASONABLE CURRENT MARKET COST OF DOCKING OR STORING THE VESSEL.

(2) TIME SPENT CONDUCTING SEA TRIALS SHALL BE INCLUDED WHEN CALCULATING THE PERIOD OF TIME A VESSEL IS HELD FOR MAINTENANCE OR REPAIR UNDER SUBSECTION (A)(3) OF THIS SECTION.

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(c) (3) At the end of the 30-day period the person shall apply to the Department for title to the vessel in the person's name on forms the Department approves accompanied by the following affidavits:

(i) A statement that the vessel is an abandoned vessel as defined in § 8-721 of this subtitle;

(ii) Proof the registered letter was mailed at least 30 days before application or a detailed explanation of the unsuccessful steps taken to identify the owner or lienholder and secure the owner's or lienholder's address; [and]

(iii) Proof a notice was printed in a newspaper as required in paragraph (2) of this subsection;

(IV) A CLEAR AND ACCURATE PHOTOGRAPH OF THE VESSEL; AND

(V) A TRACING OR CERTIFICATION OF THE HULL IDENTIFICATION NUMBER.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.