

(2) NOTWITHSTANDING § 8-210(A) OF THIS SUBTITLE AND EXCEPT AS PROVIDED IN § 8-210(B) OF THIS SUBTITLE, THE EMPLOYMENT IS PERFORMED BY AN OFFICER OR CREW MEMBER OF A VESSEL OR AMERICAN AIRCRAFT ON OR IN CONNECTION WITH IT IF:

(I) THE OFFICE FROM WHICH THE OPERATIONS OF THE VESSEL ON NAVIGABLE WATERS OR THE AMERICAN AIRCRAFT ARE CONDUCTED IS WITHIN THIS STATE; OR

(II) THE OPERATION OF THE VESSEL OR AMERICAN AIRCRAFT WITHIN THIS STATE OR BOTH IN AND OUTSIDE THE UNITED STATES ORDINARILY AND REGULARLY IS CONTROLLED AND DIRECTED FROM IN THIS STATE; OR

(3) THE EMPLOYMENT IS PERFORMED BY A CITIZEN OF THE UNITED STATES FOR AN AMERICAN EMPLOYER OUTSIDE OF THE UNITED STATES, THE VIRGIN ISLANDS, AND CANADA AND IS NOT OTHERWISE COVERED UNDER THIS SECTION IF THE AMERICAN EMPLOYER:

(I) HAS ITS PRINCIPAL PLACE OF BUSINESS IN THE UNITED STATES LOCATED IN THIS STATE;

(II) DOES NOT HAVE A PLACE OF BUSINESS IN THE UNITED STATES, BUT THE AMERICAN EMPLOYER IS:

1. A RESIDENT OF THIS STATE;

2. A CORPORATION THAT IS ORGANIZED UNDER THE LAWS OF THIS STATE; OR

3. A PARTNERSHIP OR A TRUST AND A PLURALITY OF THE PARTNERS OR TRUSTEES ARE RESIDENTS OF THIS STATE;

(III) HAS ELECTED COVERAGE UNDER THIS TITLE; OR

(IV) HAS FAILED TO ELECT COVERAGE IN ANY STATE AND, NOT BEING COVERED UNDER THE UNEMPLOYMENT INSURANCE LAW IN ANY OTHER STATE, THE EMPLOYEE HAS FILED A CLAIM FOR BENEFITS UNDER THE LAW OF THIS STATE BASED ON THE EMPLOYMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(g)(2), (4), (5), (7)(i) and (ii), and (11).

In subsection (a)(3)(i) and (4)(ii)2 of this section, the former references to a corporation organized under the "laws of the United States" are deleted as unnecessary, since there are no federal laws on formation of corporations.

In subsection (a)(4) of this section, the former adjective "American" has been deleted from the defined term "vessel", since the former term was a misnomer as it applied to a vessel described under subsection (a)(4)(ii).