

As to the substitution of the language "employment ... is not insured under this title" for the former language "[e]mployment' does not include" in subsections (a) and (b) of this section and the substitution of the language "not insured" for the former language "is exempted" in subsection (b) of this section, see the revisor's note to § 8-201 of this subtitle.

Defined term: "Covered employment" § 8-101

8-210. CREW MEMBER OR OFFICER OF VESSEL.

(A) VESSELS WITH CAPACITY UP TO 10 TONS.

EXCEPT AS PROVIDED IN § 8-202(D)(2) OF THIS SUBTITLE, EMPLOYMENT PERFORMED BY A CREW MEMBER OR OFFICER OF A VESSEL ON THE NAVIGABLE WATERS OF THE UNITED STATES IS NOT COVERED EMPLOYMENT IF THE VESSEL HAS A CAPACITY OF 10 NET TONS OR LESS.

(B) PAYMENT ON SHARE BASIS.

EMPLOYMENT IS NOT COVERED EMPLOYMENT IF:

(1) PERFORMED BY A CREW MEMBER OR OFFICER OF:

(I) A VESSEL WITH A CAPACITY OF 10 NET TONS OR LESS;

OR

(II) A FISHING BOAT THAT HAS A CREW THAT NORMALLY CONSISTS OF FEWER THAN 10 INDIVIDUALS;

(2) THE CREW MEMBER OR OFFICER IS ENGAGED IN THE FARMING OR TAKING OF ANY AQUATIC LIFE; AND

(3) THE CREW MEMBER OR OFFICER IS PAID ON A SHARE BASIS AND NOT BY A SALARY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(g)(7)(v)A and (8)(vi).

In subsection (a) of this section, the reference to "capacity" is added for clarity and conformity with subsection (b)(1)(i) of this section. For provisions on measuring the tonnage of a vessel, see Chapters 141, 143, and 145 of Title 46 of the U.S.C.

In subsection (b)(2) of this section, the former words "catching", "cultivating", and "harvesting" are deleted as included in "farming" and "taking".

Also in subsection (b)(2) of this section, the former reference to "fish, shellfish, crustacea, sponges, seaweed", is deleted as unnecessary in light of the reference to "aquatic forms of life".