

(3) "CLASS A VESSEL" MEANS A MOTORBOAT THAT IS LESS THAN 16 FEET IN LENGTH AS DEFINED BY THE U.S. COAST GUARD IN 46 CFR § 24.10-17.

(4) "SEAWORTHY CONDITION" MEANS THE ABILITY TO WITHSTAND ORDINARY STRESS OF WIND, WAVES, AND OTHER WEATHER THAT THE VESSEL MIGHT NORMALLY BE EXPECTED TO ENCOUNTER.

(B) A LIVERY VESSEL OWNER OR AN AGENT OR EMPLOYEE OF THE LIVERY VESSEL OWNER MAY NOT RENT OR OFFER FOR RENT A CLASS A VESSEL TO BE OPERATED ON THE WATERS OF THE STATE UNLESS:

(1) EACH VESSEL IS IN SEAWORTHY CONDITION AND EQUIPPED FOR THE WATERS WHERE THE VESSEL IS INTENDED TO BE USED; AND

(2) THE LIVERY VESSEL OWNER OR AGENT OR EMPLOYEE OF THE LIVERY VESSEL OWNER POSSESSES A BOATING SAFETY CERTIFICATE APPROVED BY THE DEPARTMENT.

(C) A VIOLATION OF SUBSECTION (B) OF THIS SECTION SHALL BE CONSIDERED A BOATING SAFETY VIOLATION FOR PURPOSES OF § 8-740(A) OF THIS SUBTITLE.

8-739.

(a) Any person who violates any provision of § 8-712, § 8-712.1, § 8-712.3, § 8-713, or § 8-718 of this subtitle is guilty of a misdemeanor and on conviction is subject to:

(1) For a first offense, a fine not exceeding \$500; and

(2) For any subsequent offense that occurs within 2 years of a prior violation, a fine not exceeding \$1,000 or imprisonment not exceeding 1 year, or both.

(b) Any person who violates § 8-716.1 of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 5 years, or both.

8-740.

(a) If a person is convicted of 2 boating violations concerning the operation of, or safety equipment on, a vessel within a 2-year period of time, the person is required, as a condition of probation or sentencing, to complete successfully a boating safety education course that is offered or approved by the Department.

(b) Notwithstanding the provisions of subsection (a) of this section, if a person is convicted of any of the following boating safety violations in the operation of a vessel, the person is required, as a condition of probation or sentencing, to successfully complete a boating safety education course that is offered or approved by the Department:

(1) Negligent operation;

(2) Reckless operation; or