

Chapter 19

(Senate Bill 215)

AN ACT concerning

Pilots – Recreational Vessels – Employment Requirement

FOR the purpose of requiring that a certain recreational vessel employ a licensed pilot to pilot the vessel when it is underway on the navigable waters of the State; defining a certain term; making this Act an emergency measure; and generally relating to the employment of pilots on recreational vessels.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 11–501
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

11–501.

(a) Each American vessel engaged in foreign trade and each foreign vessel shall employ a licensed pilot to pilot the vessel when it is underway on the navigable waters of the State, including when the vessel is towing or being towed by another vessel.

(B) (1) IN THIS SUBSECTION, “RECREATIONAL VESSEL” MEANS A VESSEL MANUFACTURED OR OPERATED FOR THE PLEASURE OF THE USER OR THAT IS LEASED, RENTED, OR CHARTERED TO ANOTHER FOR THE PLEASURE OF THE LESSOR, RENTER, OR CHARTERER, AS SET FORTH IN 46 U.S.C. § 2101.

(2) A RECREATIONAL VESSEL MAY NOT BE REQUIRED TO EMPLOY A LICENSED PILOT TO PILOT THE VESSEL WHEN UNDERWAY ON THE NAVIGABLE WATERS OF THE STATE IF THE VESSEL:

(I) IS BOTH LESS THAN 200 FEET IN OVERALL LENGTH AND HAS LESS THAN A 12–FOOT DRAFT;

(II) EXCEPT FOR PLEASURE USE CHARTERS, IS NOT ENGAGED IN A COMMERCIAL SERVICE, AS DEFINED IN 46 U.S.C. § 2101;

(III) IS NOT CARRYING A PASSENGER FOR HIRE, AS DEFINED IN 46 U.S.C. § 2101; AND

(IV) POSSESSES A CRUISING LICENSE ISSUED IN ACCORDANCE WITH 19 C.F.R. § 4.94.

[(b)] (C) A vessel that is not required to employ a licensed pilot under subsection (a) of this section may voluntarily employ a licensed pilot when the vessel is underway on the navigable waters of the State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 14, 2015.