

# HOUSE BILL 223

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EMERGENCY BILL

5lr0354  
CF SB 215

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By: **Delegate Hammen**

Introduced and read first time: February 2, 2015

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 24, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Pilots – Recreational Vessels – Employment Requirement**

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

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

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

14 **Article – Business Occupations and Professions**

15 11–501.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

8                   **(I) IS BOTH LESS THAN 200 FEET IN OVERALL LENGTH AND HAS**  
 9 **LESS THAN A 12-FOOT DRAFT;**

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

12                   **(III) IS NOT CARRYING A PASSENGER FOR HIRE, AS DEFINED IN**  
 13 **46 U.S.C. § 2101; AND**

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.