

HOUSE BILL 223

C2

EMERGENCY BILL

5l0354
CF 5l2122

By: **Delegate Hammen**

Introduced and read first time: February 2, 2015

Assigned to: Economic Matters

A BILL ENTITLED

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.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

8 **(III) IS NOT CARRYING A PASSENGER FOR HIRE, AS DEFINED IN**
9 **46 U.S.C. § 2101; AND**

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

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

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