

HOUSE BILL 545

M1, M2

(11r2209)

ENROLLED BILL

— Environment and Transportation/Education, Health, and Environmental Affairs —

Introduced by **Delegate Hornberger**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Licenses, Permits, Registrations, and Certificates – Digital**
3 **~~or Electronic Format~~ and Stamps – Revisions**

4 FOR the purpose of requiring the Department of Natural Resources to make available and,
5 on request, issue certain licenses, ~~permits, registrations, and certificates~~ and stamps
6 in a digital or electronic format; establishing that an individual may satisfy certain
7 requirements to possess or display a license, ~~permit, registration, or certificate~~ or
8 stamp by possessing or displaying the document in a certain digital or electronic
9 format *subject to a certain exception; requiring a certain license to be permanently*
10 *affixed to a boat; requiring the Department to design certain digital or electronic*
11 *documents in a certain manner* prohibiting certain applicants from willfully making
12 a certain false statement or representation; repealing certain provisions of law
13 requiring certain licensees to sign a license in a certain manner at a certain time;
14 making a stylistic change; and generally relating to licenses, ~~permits, registrations,~~
15 ~~and certificates~~ and stamps issued by the Department of Natural Resources.

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,
 2 Article – Natural Resources
 3 Section 1–403(a), (b), (c), and (g) and 4–745(d)(2)
 4 Annotated Code of Maryland
 5 (2018 Replacement Volume and 2020 Supplement)

6 BY adding to
 7 Article – Natural Resources
 8 Section 1–403.1
 9 Annotated Code of Maryland
 10 (2018 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, with amendments,
 12 Article – Natural Resources
 13 Section 4–604(e) and (h) and 4–745(a)(6)
 14 Annotated Code of Maryland
 15 (2018 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,
 17 Article – Natural Resources
 18 Section 10–301(j)
 19 Annotated Code of Maryland
 20 (2012 Replacement Volume and 2020 Supplement)

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

23 **Article – Natural Resources**

24 1–403.

25 (a) Notwithstanding any other provision of this article, the Department may
 26 develop and implement an electronic system for the sale and issuance of licenses, permits,
 27 and registrations and the recording and releasing of security interests.

28 (b) The electronic system may include provisions for:

29 (1) Recording titling and registration data;

30 (2) Recording and releasing liens without the issuance of a security interest
 31 filing; and

32 (3) Recording information relating to an application for a license, permit,
 33 or registration.

1 (c) The Department shall develop the electronic system consistent with the
 2 statewide information technology master plan developed under Title 3A, Subtitle 3 of the
 3 State Finance and Procurement Article.

4 (g) The Department may adopt regulations to:

5 (1) Implement the electronic system authorized under this section; and

6 (2) Determine the appropriate fee levels that may be charged by a vendor
 7 and by the Department for the electronic transmission service.

8 **1-403.1.**

9 (A) **THE DEPARTMENT SHALL MAKE AVAILABLE AND, ON REQUEST, ISSUE**
 10 **ANY ~~LICENSE, PERMIT, REGISTRATION, OR CERTIFICATE~~ LICENSE OR STAMP**
 11 **AUTHORIZED UNDER §§ 4-604, 4-614, 4-745, OR 10-301(G) OF THIS ARTICLE IN A**
 12 **DIGITAL OR ELECTRONIC FORMAT.**

13 (B) ~~(1)~~ **(1) ~~AN~~ EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF**
 14 **THIS SUBSECTION, AN INDIVIDUAL MAY SATISFY ANY REQUIREMENT UNDER THIS**
 15 **ARTICLE TO POSSESS OR DISPLAY A ~~LICENSE, PERMIT, REGISTRATION, OR~~**
 16 **~~CERTIFICATE~~ LICENSE OR STAMP ISSUED UNDER §§ 4-604, 4-614, 4-745, OR**
 17 **10-301(G) OF THIS ARTICLE BY POSSESSING OR DISPLAYING THE DOCUMENT IN A**
 18 **DIGITAL OR ELECTRONIC FORMAT AS PROVIDED BY THE DEPARTMENT.**

19 **(2) AN ANNUAL SPECIAL CHESAPEAKE BAY AND COASTAL SPORT**
 20 **FISHING LICENSE SHALL BE PERMANENTLY AFFIXED TO A BOAT IN ACCORDANCE**
 21 **WITH § 4-745(D)(2) OF THIS ARTICLE.**

22 ~~(2) THE DEPARTMENT SHALL DESIGN THE DIGITAL OR ELECTRONIC~~
 23 ~~DOCUMENTS AUTHORIZED UNDER THIS SECTION IN A MANNER THAT ALLOWS THE~~
 24 ~~DOCUMENT HOLDER TO MAINTAIN PHYSICAL POSSESSION OF THE DEVICE ON WHICH~~
 25 ~~THE DOCUMENT IS ACCESSED DURING VERIFICATION.~~

26 4-604.

27 (e) (1) An applicant for a license issued under this section [shall]:

28 (I) SHALL provide all the information requested by the
 29 Department; AND

30 (II) MAY NOT WILLFULLY MAKE A FALSE STATEMENT OR
 31 REPRESENTATION TO THE DEPARTMENT ON THE APPLICATION.

1 (2) The Department shall require an applicant for a license under this
2 section to provide the last four digits of the applicant's Social Security number, if the
3 applicant has a Social Security number.

4 (h) (1) Every angler's license shall be valid for 1 year following the date of
5 issuance.

6 (2) [The licensee shall electronically or physically sign the license at the
7 time of purchase.

8 (3) The license may not be transferred to another person, nor used or
9 presented by any person other than the person to whom it was issued.

10 4-745.

11 (a) (6) An applicant for a license issued under this section [shall]:

12 (I) SHALL provide all the information requested by the
13 Department; AND

14 (II) MAY NOT WILLFULLY MAKE A FALSE STATEMENT OR
15 REPRESENTATION TO THE DEPARTMENT ON THE APPLICATION.

16 (d) (2) (i) The Department may provide by regulation for issuance of an
17 annual special Chesapeake Bay and coastal sport fishing license, which when permanently
18 affixed to a boat registered in any state shall authorize any person on the boat to fish for
19 finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters
20 of the Atlantic Ocean and the Atlantic coastal bays and their tributaries, except that such a
21 license may not be used on a boat that has been hired to take such persons fishing.

22 (ii) The annual fee for this special license shall be \$50.

23 (iii) If a boat owner purchases the special license under this
24 paragraph, the boat owner may fish anywhere in the Chesapeake Bay and its tributaries or
25 the State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries,
26 whether the boat owner is fishing in the owner's boat, in another person's boat, on land, or
27 elsewhere. The Department shall issue a complimentary Chesapeake Bay and coastal sport
28 fishing license to the boat owner who purchases a special license under this paragraph. If a
29 boat to which the special license is affixed has more than one owner, then only the individual
30 applicant who signs the application for the special license shall be entitled to a
31 complimentary Chesapeake Bay and coastal sport fishing license under this paragraph.

32 10-301.

1 (j) [The licensee shall electronically or physically sign the hunting license at the
2 time the licensee obtains the hunting license. It] A HUNTING LICENSE may not be
3 transferred to any other person.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.