

## Housekeeping — Report of Boating Accidents

### What is being considered?

The Department is considering updating the regulation for the report of boating accidents, specifically, the dollar amount which triggers the reporting requirement for an operator of a vessel involved in an accident. The department is also considering a minor housekeeping change in the same regulation regarding a grammatical error.

### Why is this change necessary?

This change is necessary in order to align the Code of Maryland Regulations (COMAR) with current United States Coast Guard reporting requirements and the Maryland Annotated Code. The Coast Guard, COMAR, and the Maryland Annotated Code all currently have language which requires submission of a written accident report to the Department in the event of an accident which exceeds a certain damage amount. Currently, there is a \$200 damage threshold requirement under [COMAR 08.04.07C Report of Boating Accidents](#). However, both the Coast Guard and the Maryland Annotated Code have a \$2,000 damage threshold amount required under both [33 CFR 173.55\(a\)\(3\)](#) and [Natural Resources Article, §8-724](#). The damage threshold in COMAR will be updated to reflect the higher amount. The Department will also make grammatical fix to a sentence in the regulation to remove a duplicated word.

### Who will this affect?

All boaters.

### Has this change been discussed with advisory bodies?

Yes. This change was discussed with the Boat Act Advisory Committee at its January 24, 2023 meeting.

### What is the specific regulatory action?

Amend Regulation .01 under COMAR 08.04.07 Report of Boating Accidents.

### When will this be effective?

The Department expects this change to be effective in 2023, however the exact date cannot be determined. The Department will follow our normal scoping and proposal procedures.

This idea is in the scoping process. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the Department considers these comments and develops an appropriate management strategy.

If the action is necessary and appropriate, the rules will be promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal is printed by the Division of State Documents in the Maryland Register.

- A 30-day public comment period begins on the day of publication.
- After review of the comments, the department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.

#### **Additional Information and Links**

Federal Code of Regulations: [33 CFR § 173.55](#) Report of casualty or accident.

Code of Maryland Regulations: [COMAR 08.04.07C Report of Boating Accidents](#).

Annotated Code of Maryland: [Natural Resources Article, §8-724\(b\) & \(c\)](#).

#### **Notes Regarding This Summary**

This summary is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help you understand the potential or revised rules. This summary is not intended to replace or supersede these rules, but to facilitate understanding and compliance with the rules. The Department will clarify or update the text of the summary as the idea moves through the regulatory process.