

Transcript of  
**Boat Act Spring Meeting**

Date: Tuesday, April 25, 2017

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MARYLAND BOAT ACT ADVISORY COMMITTEE

SPRING MEETING

APRIL 25, 2017, 10:00 a.m.

ANNAPOLIS FRIENDS MEETING HOUSE, ANNAPOLIS, MARYLAND

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REPORTED BY: David Corbin, RPR

1                   TRANSCRIPT OF PROCEEDINGS

2                   AMY CRAIG: We're going to call the  
3 meeting to order. Chairman Parlin is unable to  
4 join us, unfortunately. So I'm going to wing  
5 it.

6                   RUSS DWYER: Is that his seat, the open  
7 space there.

8                   AMY CRAIG: Yes.

9                   BOB LUNSFORD: Turn it around backwards.

10                  AMY CRAIG: Everybody can pay respects to  
11 the open space. Let's see, welcome and  
12 introductions. The usual. Want to start,  
13 Mr. Pepe. Please remember to use the  
14 microphones, speak up and silence your cell  
15 phones.

16                  JOHN PEPE: John Pepe. Marine surveyor by  
17 trade. Licensed captain. Live on the Eastern  
18 Shore in Oxford, Maryland.

19                  AL SIMON: Al Simon, the old man of the  
20 group. Before we started, a lot of you people  
21 are not aware of this organization was started

1 as Taught from Tidewater was the name of the  
2 group. Taught from Tidewater. And the  
3 Governor Tawes. And I pulled this out of my  
4 file. That's when he asked me to serve on the  
5 committee.

6 COLES MARSH: I'm Coles Marsh. That's  
7 pretty good, Al. Have a place in Annapolis.  
8 And enjoy a lot of water and looking forward to  
9 the boating season this year. I'm going to  
10 pass this around. Al, it's hard to recognize  
11 you there. I'll tell you, he's a handsome  
12 fellow. No wonder he did so well in his  
13 business activity and with his lovely wife of,  
14 how many years.

15 AL SIMON: I'm 94 now.

16 COLES MARSH: Ninety-four. Wow. Wow you.

17 BOB LUNSFORD: I'm Bob Lunsford. I'm a  
18 trailer boater. I visit many places around the  
19 State and I've been dealing with boating  
20 regulations since the Tidewater administration.

21 THORNELL JONES: I'm Thornell Jones from

1 Annapolis. And Coast Guard Auxiliary. Have  
2 only been involved in boating for 26 years but  
3 it's been good.

4 FRED LEVITAN: Fred Levitan, Chesapeake  
5 Bay Yacht Club Association, Veterans Yacht  
6 Club. I've been in this organization almost as  
7 long as Al but not quite.

8 DEBBIE HENNIGER: Debbie Henniger. Debbie  
9 Henniger, sorry. I am with Eastern Yacht Club.  
10 I'm a realtor. A realtor. And I'm from the  
11 Middle River area.

12 RUSS DWYER: Russ Dwyer. I own a farm in  
13 Talbot County. I'm a master plumber. Don't  
14 work. Hello. Also a waterman and retired  
15 plumber.

16 MR. NICKEL: Bob Nickel. I'm from Garrett  
17 County, Maryland. I manage -- general manager  
18 of a marine dealership up on Deep Creek Lake.  
19 I do everything with boats, store, work, rent,  
20 docks, et cetera, et cetera.

21 JOE HELLNER: Hi, I'm Joe Hellner from

1 Millersville, Maryland. That's an area up by  
2 Severn River and the Magothy River, although I  
3 do keep a boat up on the Middle. So I boat up  
4 a lot on the Northern Bay. Been a boater most  
5 of my life, including over 30 years on the  
6 Chesapeake Bay and its waters. Member of  
7 numerous boating organizations such as Boat  
8 U.S., Power Squadron, yacht clubs, Chesapeake  
9 Bay Yacht Club Association, as mentioned by  
10 Fred, and I've served on the board both as  
11 president on some of those organizations. Plus  
12 I'm also a former Naval officer.

13 JOHN SHELLER: John Sheller, owner,  
14 operator, chief cook and bottle washer for  
15 Rockhold Creek Marina in beautiful downtown  
16 Deale, Maryland. If you haven't been there,  
17 you need to go there.

18 AMY CRAIG: Thank you all. Amy Craig,  
19 Upper Marlboro resident, water skier and family  
20 boater and that sort of thing. Okay. So let's  
21 see. Anybody else.

1           MARK O'MALLEY: Mark O'Malley, the  
2 Director of Boating Services. And before I  
3 pass the microphone along, I want to introduce  
4 a special guest we have with us today, Mr. Bill  
5 Anderson, who is the Assistant Secretary for  
6 Aquatic Resources and therefore my boss. So if  
7 you have great things to tell him about what we  
8 do here, by all means, corner him on a coffee  
9 break. If you have things you don't like, keep  
10 it to yourself.

11           JOE HELLNER: He throws a great party.

12           MARK O'MALLEY: So Bill is here and he  
13 wants to say a few words to the group. And I  
14 welcome his presence. He's the first Assistant  
15 Secretary in my four plus years to attend. So  
16 I'm very happy he's here. And by all means,  
17 I'm not kidding, if you have an opportunity to  
18 speak with him at a break or at lunch or  
19 something, please take advantage of that.

20           BILL ANDERSON: Thanks, Mark. And I'll  
21 walk to the front so I don't make everybody

1 creek their necks. As Mark mentioned, Bill  
2 Anderson, Assistant Secretary of Aquatic  
3 Resources DNR. I'm from Wicomico County,  
4 Maryland and I've been a boater since before I  
5 could drive a car. Which was unfortunate for  
6 my dad who had to pull me and my ski buddies  
7 around before I got a drivers license. But I  
8 have boated in Seneca Creek, Baltimore,  
9 Maryland -- Baltimore County, I'm sorry, Deep  
10 Creek Lake, and down in Assawoman and  
11 Sinepuxtent Bay for most of my life. I just  
12 want to take one minute, not a long  
13 presentation, but I just wanted to take a  
14 minute to thank you all. Being involved in  
15 these committees which, you know, are  
16 legislatively directed here in this state,  
17 which I think was a very wise decision by the  
18 General Assembly, but being involved in these  
19 committees is hard work. It pulls you away  
20 from other job responsibilities that you have.  
21 But on behalf of Mark Belton, our DNR



1 Secretary, myself and my team, we admire what  
2 you're doing, we respect what you're doing, and  
3 your feedback and your counsel is critically  
4 important to the work that we're doing, whether  
5 it be you folks or our Oyster Advisory  
6 Commission, our Saltwater Fishing Commission or  
7 what have you, everything that you guys do to  
8 help us do better in preserving our natural  
9 resources and the recreational opportunities in  
10 this state are very, very critical. So I just  
11 wanted to thank each of you for all your hard  
12 work and your dedication to serving DNR and the  
13 citizens of Maryland. So thank you very much.  
14 And I'll turn the mic now over to my partner in  
15 crime, Allison Cordell.

16 ALLISON CORDELL: Hi. Good to see  
17 everyone this morning. Allison Cordell, the  
18 legislative director for DNR. And I am on the  
19 agenda to give you a legislative update from  
20 our 2017 session. But Amy, were you...

21 AMY CRAIG: Can we just introduce the rest

1 of the people here, get them on the record.

2 ALLISON CORDELL: Sure, sure. Again,  
3 Allison Cordell, legislative director.

4 ROBERT FORD: Good morning. Lieutenant  
5 Robert Ford, now commander of the safety  
6 education unit for Natural Resources Police.  
7 And once again this is my third, it's good to  
8 be here with our partners.

9 SPEAKER: And a brand new Lieutenant.  
10 Congratulations.

11 MIKE GRANT: Mike Grant, Fisheries and  
12 Boating Services liaison to the Boat Act  
13 Advisory Committee.

14 JEANNINE MOANEY: Jeannine Moaney, Fishing  
15 and Boating Services.

16 LOUIS WRIGHT: Louis Wright, hydrographic  
17 operations.

18 RACHEL EISENHOWER: Rachel Eisenhower, I'm  
19 with the Attorney General's Office at DNR.

20 ALLISON CORDELL: Back on. Well, we could  
21 call it surviving session 2017 because there

1 was a number of bills that impacted boating  
2 services, but many of them failed. And so I  
3 have a little sheet I'm going to pass around.  
4 So at DNR we -- at DNR we tracked -- there we  
5 go. We tracked over 200 bills. Many of them  
6 were cross files so it wasn't as many as the  
7 197 on my list. But we still had a number of  
8 ones that impacted boating. I wanted to go  
9 through those with you and answer any questions  
10 that you might have. Senate Bill 81 was the  
11 Interstate Boating Violators Compact. This was  
12 Senator Simon Yeres bill. This would allow  
13 Maryland to participate in the Interstate  
14 Boating Violators Compact. Currently the only  
15 offense that we suspend in Maryland is if  
16 you're operating under the influence of  
17 alcohol, we would suspend your operating  
18 privilege. So that is the only reciprocal  
19 charge that we would be involved in if we were  
20 to participate in the Interstate Boating  
21 Violators Compact. Again, this bill failed.

1 So it's not up for this year. But Senator  
2 Simon Yere brought this bill to us last year  
3 and I know he's keenly interested so this is  
4 something you might want to continue to watch  
5 for next years session. Senate Bill 1147 was  
6 DNR's -- so we had talked about this with the  
7 Boat Act Advisory Commission. We had talked  
8 about the prohibition of riding on the bow,  
9 gunnel or transom. And we had originally  
10 discussed doing this in regulation. And you --  
11 as a group, you were very helpful in providing  
12 specific language that would have allowed the  
13 Department to specify and inform the public of  
14 the current prohibition of bow riding.  
15 Unfortunately counsel came back to us and said  
16 that we needed to have enabling legislation.  
17 It was drafted in a way that was very broad.  
18 And that was concerning to a lot of the public  
19 and I think to, you know, your committee when  
20 you looked at that bill. You said, wait, this  
21 isn't what we talked about when we met in

1 December and Senator Mathias and Delegate  
2 Carozza had spoken to you about that regulation  
3 desire. Ultimately this bill also failed. It  
4 was discussed, Senator Mathias turned this bill  
5 into an educational material requirement for  
6 DNR to post signage specifying the danger of  
7 bow riding. This went over to judicial  
8 proceedings. Judicial proceedings did pass it  
9 out. It went back to education, health and  
10 environmental affairs and they did not take it  
11 up. So the time ran out and the House Bill  
12 never had a hearing. So that's what happened  
13 with the prohibition on bow riding. Senate  
14 Bill 1193. This was the water ski zoned area.  
15 This one also failed in the House. It did pass  
16 through the Senate. Senator Reilly, you know,  
17 has addressed concerns with the Department from  
18 the residents in the area and has asked DNR to  
19 look at regulations. We would only do so if  
20 that was recommended from this body. So I  
21 would like for us, you know, we'll revisit this

1 if needed but your recommendation was, you  
2 know -- is what has gone forward through DNR  
3 regulation process. Let's move on to Senate  
4 Bill 1080. This was the privilege to operate a  
5 vessel suspension authority. This was after  
6 Senator Simon Yere realized that we didn't have  
7 suspension authority at DNR, he drafted another  
8 piece of legislation which would allow DNR to  
9 suspend your authority to operate a vessel.  
10 This bill also failed. House Bill 1253,  
11 removal of an abandoned or sunken vessels.  
12 This bill did pass. It expands the ability of  
13 DNR to remove sunken vessels. Operationally  
14 there is very little impact. It does remove  
15 the liability for persons on behalf of DNR to  
16 remove sunken vessels. So only authorized by  
17 the Department to do so could they remove the  
18 vessels. Finally our departmental Senate Bill  
19 30, operating while the under the influence of  
20 or impaired by alcohol or drugs. This would  
21 expand the applicability of OUI laws to include

1 non-motorized vessels. This one also failed.  
2 At last, House Bill 635, homicide by motor  
3 vehicle or vessel while impaired by controlled  
4 dangerous substance. This one did pass. So  
5 with that, I open it up for questions.

6           JOE HELLNER: Joe Hellner. And my  
7 question is this is a really nice summary, and  
8 I'm wondering, can this be shared with folks  
9 outside this committee. Because I know there's  
10 a number of groups that would love me to make  
11 copies of this and pass it out but I want to  
12 make sure it's okay.

13           ALLISON CORDELL: Absolutely. If you  
14 don't mind, I'll clean it up a little bit.  
15 There is a couple of errors. I see a space  
16 between then and prohibited. I would like to  
17 clean up a couple and I'll send it out by  
18 e-mail this afternoon.

19           JOE HELLNER: That would be fantastic. My  
20 other question pertains to the bow riding. As  
21 you noted, it was fairly broad and it -- from a

1 boater's point of view, and a lot of the  
2 boaters I know, scared them into worrying that  
3 normal, safe activities at which they are  
4 experts would be prohibited under legislation  
5 as worded. So going forward -- but, let me say  
6 also that they all agree that folks that bow  
7 ride -- we have all seen kids riding in  
8 terrible places on boats, et cetera, or folks  
9 that are outside the railings of pontoon boats,  
10 for example, foolish stuff that none of us  
11 experienced boaters or safe boaters would ever  
12 do. They all -- again. That they all agree  
13 that something needs to be done because we  
14 don't want to see the horrible accidents that  
15 we've seen. So going forward what do we do  
16 either as a committee or work with the DNR or  
17 as boaters. Because we think there is an  
18 answer somewhere that needs to happen to avoid  
19 these horrible accidents.

20 ALLISON CORDELL: Right. So the  
21 legislation was written to be broad, to enable



1 DNR to adopt the regulations that were  
2 recommended from the advisory committee. So we  
3 did intend in a dangerous manner to encapture  
4 only activities that were dangerous. So going  
5 at excessive speed, not your normal, you know,  
6 recreational activities of maybe hand dipping  
7 for crabbing or if you were tying up or  
8 mooring. If any of those activities were  
9 going, we wouldn't consider that bow riding in  
10 a dangerous manner. I think in our -- when  
11 they were looking at enforcement of this, it  
12 was not going to extend to those normal  
13 activities that we all participate in.

14 JOE HELLNER: So I'm not sure who to ask,  
15 but is this better handled by regulation rather  
16 than legislation. And if so, would this  
17 committee be able to assist with that.

18 ALLISON CORDELL: There is a number of  
19 options that we can look at in how to increase  
20 boating safety. So one of the recommendations  
21 is to have this campaign against -- you know,

1 to inform the public about bow riding. And NRP  
2 has a graphic that I believe is going to be  
3 shared with the public here in the next month  
4 for Memorial Day about -- that's got, you know,  
5 has someone sitting on the bow of a boat and  
6 has a mark through it and says how dangerous  
7 this activity is. So we're looking at  
8 publicizing the danger. And then there's a  
9 number of things that might be able to be  
10 changed in regulation or in our agreements with  
11 rental liveries. That was a concern because  
12 the accident that happened in Ocean City was  
13 from, you know, renting a pontoon boat and  
14 perhaps if there was more, you know, safety  
15 education. So there's other ways that we might  
16 be able to address this issue. And we are  
17 still interested in looking at ways to do so.  
18 We will be working with the previous sponsors  
19 and the Commission. Right now, you know, it  
20 was it pretty hot topic and I think we're going  
21 to try to move forward with the education

1 component and we'll see what comes from that.  
2 But I know that the Governor is very interested  
3 in making sure that this educational material  
4 is included in our activities going forward.

5 BOB LUNSFORD: Thank you.

6 JOHN SHELLER: One question. On the boat  
7 renewal tags, who is responsible for putting  
8 those little inserts into the mailing when you  
9 get your notice to re-register your boat.

10 ALLISON CORDELL: So that's going to be  
11 coming from licensing and registration services  
12 at DNR. And we are -- our renewal system,  
13 we're working to go to an online renewal. We  
14 have -- we have an existing work group with  
15 motor vehicles to help facilitate the process  
16 of boat renewal and trailer registration. So  
17 this is a project that we're moving forward on.  
18 Now, the decals themselves, that does come from  
19 licensing and registration. And could you tell  
20 me a little bit more about what the issue was  
21 so I can report back to the team.

1           JOHN SHELLER: Generally there are public  
2 notices in the physical paper mailing that say  
3 watch out for zebra mussels and other items of  
4 interest to the entire boating population. I  
5 would think this safety issue might be  
6 something that could be well positioned in  
7 there that would go out to all registered  
8 boaters when they renew.

9           ALLISON CORDELL: Sure. Great. That's a  
10 wonderful idea. It's something I'll share with  
11 licensing and registration and our boating team  
12 and Office of the Secretary and see what we can  
13 do to increase awareness.

14          BILL ANDERSON: Allison, if there are  
15 specific recommendations coming from this  
16 committee on the part of that flyer insert, I  
17 think we have something directly to give to the  
18 licensing folks to consider. So please, direct  
19 requests would be helpful.

20          ALLISON CORDELL: Sure. And Amy, I'm not  
21 sure exactly of how the process goes with

1 recommendations.

2 AMY CRAIG: John, would you like to make a  
3 motion that we include a slip about bow riding  
4 in the registration renewal.

5 JOHN SHELLER: I would propose a motion  
6 that we discuss it, and if it passes, that we  
7 pursue the educational material that would be  
8 in such a report, such an insert.

9 AMY CRAIG: Second.

10 JOHN PEPE: Second.

11 AMY CRAIG: Discussion.

12 BOB LUNSFORD: I can speak loud enough  
13 without a mic but I'll hold it up to my face to  
14 make it look good. One of the issues that  
15 comes up with licensing and that they are very  
16 sensitive about is the increased cost of  
17 putting a number of informational leaflets,  
18 sheets, in their mailings. So whatever we do,  
19 we may want to think about something that's  
20 less than a half a page so that things like  
21 zebra muscles we can split the cost with other

1 units within the department, or boating safety  
2 education can split the cost with other units  
3 in the department. I think it's a worthwhile  
4 idea. My only thought would be is that  
5 registered boaters would each get a copy, but  
6 the accident that happened was from a rental  
7 operation where there was an out of state  
8 boater who wouldn't have seen the information  
9 anyway. So we need to make sure that whatever  
10 we suggest, or whatever boating safety  
11 education comes up with suggests, that it's  
12 blowupable to a poster size that can be put in  
13 the boat livery operations or given to them so  
14 they can post it if they want to.

15 JOHN SHELLER: I actually agree with that.  
16 And you remember the safe kayaking posters that  
17 we saw last year or something, I believe. I  
18 would leave it to boating safety to come up  
19 with onsite as well as other notices that are  
20 open -- that are available to the public in  
21 addition to this. Such as -- such as on the

1 web site as well, the DNR web site.

2 AMY CRAIG: Any other discussion. Okay.

3 Do we want to amend the motion that we  
4 encourage boating services to -- boating  
5 education to put forth some sort of information  
6 regarding bow riding.

7 JOHN SHELLER: I would amend my motion to  
8 have the committee recommend that this  
9 education be pursued.

10 AMY CRAIG: Second.

11 FRED LEVITAN: Second.

12 AMY CRAIG: All in favor.

13 COMMITTEE MEMBERS: Aye.

14 AMY CRAIG: So moved. Any other  
15 suggestions or discussion regarding the  
16 legislation update. I have a question.

17 ALLISON CORDELL: Yes.

18 AMY CRAIG: On 1193, do you want us to  
19 pursue that in any way with Senator Reilly in  
20 moving forward so as to avoid this situation.

21 ALLISON CORDELL: For next year.

1           AMY CRAIG: Yes.

2           ALLISON CORDELL: Right. Well, I don't  
3 know if Mark and Mike might be able to speak to  
4 their conversation with Senator Reilly. I know  
5 that they discussed regulation changes. I know  
6 that Senator Reilly came back with an amendment  
7 that would expand the hours but not as  
8 significant as we had hoped on behalf of the  
9 committee. And so, you know, I think that's  
10 kind of where -- how -- where are you willing  
11 to meet Senator Reilly or those concerned  
12 stakeholders on, you know, reducing the hours.  
13 And that's a discussion that perhaps, you know,  
14 if you feel strongly about where you are this  
15 year, then, you know, I wouldn't recommend  
16 necessarily going forward with that  
17 negotiation, but if that's something you want  
18 to pursue, then of course by all means still a  
19 decision to make.

20           JOE HELLNER: Technology. Here we go. I  
21 should note, and I was going to talk to you



1 later about this, Amy, that in my dialogue with  
2 Senator Reilly on the Manadere Creek situation,  
3 he sort of implied, yeah, I'm going to get out  
4 in the summer and go look at this creek. Of  
5 course I responded with "hey, I know a lot of  
6 boaters that would love to take you, Senator."  
7 So he came back with call my office after  
8 June 1st and we'll set up something. Obviously  
9 I had you in mind, and Romona, who is not here  
10 today, so I was going to talk to Romona about  
11 it. But hopefully that will help. I think all  
12 of us getting to know the Senator, or those of  
13 us that have an interest in that area. I  
14 happen to be one of his constituents, as does  
15 Romona. And I think you also live in his  
16 district.

17 AMY CRAIG: No.

18 JOHN SELLER: Romona and I are definitely  
19 his constituents. We think that would be very  
20 constructive to take the Senator out. Or at  
21 least I believe it would be, and I would hope

1 the committee would agree, but it doesn't hurt  
2 any of the processes in place with DNR. I did  
3 talk to Mike Grant about it, he thought it was  
4 a good idea, so we'll include Mike on any trip  
5 we take. So does that sound good to you, I  
6 guess would be my question.

7 ALLISON CORDELL: Absolutely. Absolutely.  
8 More outreach from the committee is always  
9 welcomed.

10 JOE HELLNER: Thank you.

11 AMY CRAIG: Anything else on legislative  
12 session recap. All right. Moving forward.  
13 Regulation request. Mr. Grant.

14 MIKE GRANT: Just a quick recap of 2016.  
15 I'm sure you all know everything went through  
16 in 2016. There were no changes to any of the  
17 regulations that we proposed, any of the  
18 amendments. The administrative changes we  
19 made, everything is fine, the South River  
20 Controlled Ski Course, we changed that from our  
21 original recommendation, which was six knots

1 all time to only watch your wake when somebody  
2 is using the course that's displaying a ski  
3 sticker. If there is somebody in the course,  
4 an authorized vessel, you must observed a no  
5 wake zone. If there is nobody in the course  
6 you can free ski all you want. That's one  
7 thing we had a problem with and that's why that  
8 was successful. That's all I have to say about  
9 2016. Now I'm sure you're excited to hear  
10 what's going on in 2017. The Riva Bridge, six  
11 knot zone. The request is to return to the  
12 original regulation. That's the same area.  
13 The people at Mike's Crab House would like it  
14 returned to six knots all time. It's currently  
15 six knots Saturday, Sunday and holidays during  
16 the boating season. No change in the zone  
17 itself. This is a letter from Mike and Anthony  
18 Piera at Mike's, "we the undersigned owners,  
19 customers and local citizens are concerned of  
20 the speed limit allowed for boaters in the Riva  
21 Bridge area. The law currently states that

1     boaters are restricted to the six knots on  
2     Saturday, Sunday and holidays during the  
3     boating season. We are urging that the six  
4     knots be implemented Monday through Sunday  
5     during the boating season. We believe that the  
6     current speed allowed during the week is a  
7     danger to our customers at Mike's Bar and Crab  
8     House." There were 65 names on that petition.  
9     Some of the names came from Silver Spring, most  
10    of them were local. But I suspect that it was  
11    passed around the restaurant every once in a  
12    while.

13           BOB LUNSFORD: Did it smell like Old Bay.

14           MIKE GRANT: This is a report from  
15    Lieutenant Brian Rafka. It's big enough for  
16    you all to read. Basically there have been no  
17    reports to speak of for accidents and no calls  
18    at all from the crab house or the folks in the  
19    area. So there have been no issues.

20           JOHN PEPE: Mike, would it be safe to  
21    assume that there has also been no reports from

1 the citizens that live on the other side of the  
2 bridge that have piers.

3 MIKE GRANT: That's -- that's what he's  
4 saying, NRP has received nothing. He went  
5 through the CAD from 2013 when we implemented  
6 the new change, and they have heard from no  
7 one. So there's been no issues. It's only the  
8 folks at Mike's. I did get a call too after  
9 April 15th last year from I believe the owner,  
10 I think Anthony must be the son. Anyway, so I  
11 think his dad called and he was pretty  
12 animated. Was unaware it had been changed, was  
13 unaware that it was going to be changed and  
14 wanted it to be changed back. And I explained  
15 the process, and that is why we're looking at  
16 it this year. Any questions? Yants Creek data  
17 point correction. This is informational only.  
18 This is going to be an administrative change.  
19 Mother nature deemed it appropriate to take  
20 away the land at the Yants S, that yellow pin  
21 right there. That was the original data point

1 for the six knot zone going into Yants Creek.  
2 We identified a point -- thank you Louis --  
3 south right where the red pin is. Relocate  
4 that southern point down there and the people  
5 in the creek seemed very happy with it. Again,  
6 that will be an administrative change.

7 JOHN SHELLER: Where is Yants Creek.

8 MIKE GRANT: Yants Creek is on the Severn  
9 River. Upper Severn. On the right-hand side.  
10 North side. Below Benfield.

11 JOHN SHELLER: I probably used to row past  
12 that.

13 MIKE GRANT: Any questions. Thank you.

14 AMY CRAIG: Before we move on, I want to  
15 thank Allison, I was negligent in doing that,  
16 for doing that hard work in the legislative  
17 season and this lovely wrap-up, we appreciate  
18 so much. Can we have our boating accident  
19 report.

20 ROBERT FORD: Lieutenant. Good morning,  
21 again, Lieutenant Robert Ford, safety education

1 section. Before I go on to the accidents, your  
2 motion that you voted on, I didn't want to jump  
3 into it and commend you for doing that, but  
4 almost all the things you talked about that was  
5 in the motion, it's already been done. I've  
6 got a couple sheets and we've been working, and  
7 we always work with the livery operations  
8 statewide, and I think Mr. Nickel is one on  
9 Deep Creek Lake and we were out there two weeks  
10 ago to some snow, Garrett County snow. But  
11 it's something we're always looking at.  
12 However, there are different layers. And what  
13 I have here is some sheets that we have redone  
14 and the icon is here. The liveries have it,  
15 but we do not want the press getting a hold of  
16 this. Because we're actually having a press  
17 release and we fear if they get a hold of this  
18 now, they won't need to come and talk to us.  
19 And we want other information to be shared. So  
20 I'm going to pass two sets of these around, one  
21 to each side. You're more than welcome.

1 Again, the bow riding is nothing new. We have  
2 regulation, and actually the negligent  
3 operation -- negligent operation and reckless  
4 operation is in both statute and in regulation.  
5 And when we came in December we talked about  
6 it. It's in one of those gray areas and  
7 depending who is sitting behind the bench in  
8 District Court is how they take it and their  
9 interpretation of it. So that would just clear  
10 that. So I have been working and I want to  
11 thank Allison, because I know her head spins  
12 when I go in there, and when I leave there it's  
13 probably spinning a little more. Because maybe  
14 some of the hard thing is getting our point  
15 across as to what we want. And when you're  
16 dealing with multiple disciplines, we also have  
17 bills in there that deal with apprentice hunter  
18 education, different things, which is also my  
19 shop there. So thank you, Allison, here  
20 publicly, that you do a great job and I know  
21 sometimes I confuse things just when I show up



1 and give my point of view. What I have here is  
2 the 2016 Natural Resources recreational  
3 statistics. We will go ahead and go through  
4 this with my assistant. And for whatever  
5 reason on my computer it's great, but it bleeds  
6 over. So actually we have in the State of  
7 Maryland, 2016, over 170,000, almost 171,000,  
8 registered vessels over almost seven to  
9 800 miles of shoreline. And here's the stats.  
10 It's a beautiful skylight here, kind of bleeds  
11 some of this out. 2016 reportable boat  
12 accidents, we had 163. And you can see from  
13 2013 we're climbing a little bit. So when we  
14 get together, everybody hopefully knows Julie  
15 Brown, my sole boating person who you should  
16 feel bad for because right now she is in St.  
17 Petersburg, Florida at the International  
18 Boating and Water Safety Summit, however I had  
19 to go to Deep Creek Lake this week for hunter  
20 education. So somebody had to do it, so Julie  
21 and the Captain stepped up to go. And then

1 here's numbers of reportable accidents. You  
2 can see injury and fatalities. You can see,  
3 even though we're going up, our fatalities as  
4 far as for reportable boating accidents,  
5 roughly about the same. But we have  
6 fluctuations. I'm not real big on statistics,  
7 so some of this I look at it and you'll see one  
8 that I've really scratched my head and I  
9 couldn't figure out. Here's the top five. Top  
10 five causes for boating accidents in 2016. And  
11 the number one was wake, which is not something  
12 that I would have -- you know, would have  
13 popped in my mind. Speeding, you know, when I  
14 have a call or talking to the reporter or  
15 legislature. But you can see wake, and then  
16 obviously excessive speed. That would have  
17 been my number one. And proper lookout. And  
18 alcohol related. It's no different. And then  
19 number ten was we just had a serious one over  
20 the weekend with the ignition of fuel vapor.  
21 Very dangerous for those large motor boat

1 operations that you know that you have to be  
2 really careful at fuel docks. It's another  
3 thing as far as we're looking at education.  
4 Not everybody has these different types of  
5 vessels, but when you switch or you're fueling  
6 around one, or go up to a fuel dock, you have  
7 to be aware what's going on.

8 JOHN PEPE: John Pepe. Mike, could you  
9 back up that -- that one right there. I would  
10 have thought looking at this, just something I  
11 noticed, that the correlation between the  
12 economy and the boating accidents because  
13 things get better. That makes sense over the  
14 past three years. We were right in the midst  
15 of a terrible slump in 2010. Can you explain  
16 why there is so many accidents or is there any  
17 correlation.

18 ROBERT FORD: No, not -- again, it's the  
19 boating usually when the fuel prices go up, we  
20 have less. But that's, you know, on some of  
21 them again, I'll show you the slide that and

1 look at. When we look at overall, if you look  
2 at the numbers, and again 2016, I believe it  
3 says 12, we actually last year had 17  
4 fatalities. But as far as reportable boat  
5 accidents, there is 12. But if you look over  
6 at 2013, where we had actually 110 reportable  
7 boat accidents, out of those 110, we had 13.  
8 So if you look and say your accidents are up,  
9 if you look at boating fatalities, we're down  
10 one. So roughly the same. Again, we look  
11 at -- a reportable boating accident is okay,  
12 it's going to happen, the same as, you know, I  
13 went to Deep Creek Lake and my wife struck a  
14 deer the night I was up there, \$4,400 worth of  
15 damage. That's her third one. The last three  
16 vehicles, you know, it's like -- then she says  
17 things happen in three. I'm thinking I hope it  
18 doesn't happen again because then I've got two  
19 more. From my shop, you know, and I'll talk a  
20 little bit more about the accident that  
21 happened last year. Okay, I know the

1 accidents, I'm really focused more on -- not  
2 that I'm not focused on the accidents, but the  
3 injuries and especially the fatalities.  
4 Believe it or not, Colonel Zigler, every time  
5 there is a fatality he calls me, "what can we  
6 do better." The statistics are actually  
7 compiled in our coms center through the bar  
8 report from the United States Coast Guard.  
9 Some of it I understand, some of it is a little  
10 gray, but I don't actually compile that where I  
11 do for the hunter education. But it's a little  
12 more complicated and it actually goes through  
13 the coms center because of required Coast Guard  
14 reporting. Right there you'll see our boating  
15 fatalities. Last year, 2016, we had 17. So 17  
16 fatalities. 2015 was a relatively high year.  
17 Two weeks ago on Good Friday, the Friday before  
18 Easter, we had a Commanders meeting and it was  
19 actually the Secretary's retreat. And the  
20 Secretary Belton focused as one of his  
21 objectives to get that number down. To get

1 that number down. So it's another thing that  
2 we're looking at. But, again, 17 deaths in my  
3 opinion are 17 too many. One is one too many.  
4 Go ahead, Mike.

5 THORNELL JONES: Couple slides back --  
6 thank you. Couple of slides back, the top --  
7 that one. The top cause of accidents was  
8 wakes. Does that have anything to do with the  
9 increase in paddle boats.

10 ROBERT FORD: I do not believe that it  
11 does. I don't know -- have the breakdown on  
12 the vessels. When you're looking into that,  
13 you're looking into reportable vessel accident  
14 is \$2,000 worth of damage. From working in the  
15 field a number of years, a lot of it's caused  
16 by the larger displacement vessels. They  
17 throttle down to go through the zones, and when  
18 they throttle down they actually throw a bigger  
19 wake than if up on plane. And when that wake  
20 comes into the marina, that causes a lot. So  
21 just from my standpoint, that's what I'm

1 thinking that happens. Not necessary a paddle.  
2 A paddle, unless it's an injury, if a paddle  
3 board gets thrown out, there is probably no  
4 damage to the paddle board unless it's a  
5 reportable injury, which in a lot of cases is  
6 not. But I would say that that vessel wake is  
7 due to more property damage than actually  
8 physical damage, although you could get...

9 THORNELL JONES: I understand. But I also  
10 remember the people in my yacht club talking  
11 about how the paddle boarders in the water,  
12 like in Annapolis harbor, really causing  
13 difficulties with people getting in and out.

14 ROBERT FORD: That's correct. If you go  
15 through, I will address that because that was a  
16 campaign that we did last year. So we will  
17 hold that. Again, accidents by month. And  
18 it's no surprise, our three biggest months are  
19 June, July and August when the number of boats  
20 are out there. The neat thing about the  
21 Natural Resources Police, none of the boats get

1 winterized. We're out there pretty much all 12  
2 months of the year. But as expected, that --  
3 and again July, holiday, July 4th holiday, so,  
4 you know, it's really no different. But you'll  
5 notice in January, February, March we do have  
6 reportable boating accidents, and the majority  
7 of those are involved commercial vessels. And  
8 here's the one that perplexed me because  
9 obviously by day the week, Friday, Saturday and  
10 Sunday. What I couldn't figure out was  
11 Wednesday. I actually went back to 2015, and  
12 in 2015 Wednesday was actually the lowest day.  
13 So I looked at that and when Major called me  
14 this morning, I said, you know what, I think  
15 I'm going to blame it on the Wednesday sailboat  
16 races. He said, please don't do that, you'll  
17 make someone mad. So I won't. When you go  
18 there, sometimes they will say can we look at  
19 this further. And even with the hunting  
20 accidents aside, sometimes that would take  
21 somebody studying for a doctorate degree,



1 because you would have to go and have to  
2 interview and get it. One thing about  
3 sometimes the people when they have it, if they  
4 are embarrassed, they are going to give us as  
5 little information as possible. We're not  
6 looking at everyone makes mistake, what I'm  
7 looking at and when I talk to somebody is let's  
8 make it better, do you want this to repeat  
9 itself. And 100 percent they say no. That's  
10 why I need the information. As long as I don't  
11 put a name with it, we should be good. That's  
12 what perplexes me was Wednesday. And when I  
13 started looking into it, and I just showed Mike  
14 Wednesday in 2015 was the least number of  
15 accidents. But it's no surprise, Friday,  
16 Saturday and Sunday. And then accidents by  
17 time of day. So obviously 12:00 noon to going  
18 on 3:00 o'clock is high, and then from 3:00 to  
19 actually 6:00. And then the number from 6:00.  
20 But in my experience, even with a lot of bars  
21 and different things, most of the people are

1 out of there, they are trying to get home or  
2 get back to their creek by sunset. You can see  
3 the time is basically from 12:00 noon to 12:00  
4 midnight, although other times of day we do  
5 have accidents.

6 Actual property damage. You know, you're  
7 looking at a very substantial amount. I guess  
8 as far as insurance and everything else goes,  
9 so a lot of money for property damage  
10 accidents. Which is another reason why it's  
11 studied and why we have the information out  
12 there that we do. And this is just a little  
13 bit of that goes in with here, our enforcement  
14 information. So that's the -- you know, as far  
15 as enforcement for the reportable accidents,  
16 total, you know, OWI, OUI cases and alcohol  
17 related accidents and accidents that result in  
18 injury, accidents resulting in fatality.  
19 Again, a lot of our things, you know, impaired  
20 boating. You're talking about drugs or  
21 impaired by alcohol. It's the same on the

1 water as it is on there, even though open  
2 container is a civil violation. If a trooper  
3 happens to see you have an open container in  
4 the car where in the water it's okay. You  
5 know, most people expect that somebody is going  
6 to have an open container of alcohol. But  
7 there is no difference. This over skipper, I'm  
8 sure Ms. Brown down there at the International  
9 Boating and Water Safety Summit, it's from  
10 everybody in the United States. Some of the  
11 Canadian provinces. Alcohol still remains big  
12 and we're still, you know, pushing alcohol and  
13 we do the alcohol monitoring patrols and target  
14 different areas, especially with different  
15 contests and all that the bars and the  
16 establishments have.

17 And this is citations. And you can see in  
18 2016 our citations go up. And a lot of that is  
19 due to the Colonel that, you know, we have at  
20 the time but also U.S. Coast Guard, there is  
21 different pushes, certain weekends a year

1 everybody in the country is going to go out  
2 there and do it. So a lot of the resources  
3 that went into that 264 may have been  
4 specialized resources where, okay, they are  
5 going to hit Kent Narrows this weekend. So we  
6 try to get everybody on duty in the evening,  
7 however that doesn't always work out because  
8 we're a force that is very short. We don't  
9 have the numbers that the Maryland State Police  
10 do, so we at least need somebody during the day  
11 but they actually pull resources, especially on  
12 the weekends, Friday and Saturday nights.

13 And the boating related citations, OWI,  
14 OUI, 264. Insufficient number of PFD's on the  
15 vessel. So around 600. Operating without  
16 proper running lights, 113. Registration not  
17 in possession, 135. And operating the vessel  
18 without boating safety certificate, 134. With  
19 the certificate, it must be in your possession.  
20 So that's a lot of times, most of them get a  
21 warning, but what that told me was the demeanor

1 of the people that were getting those  
2 citations. A lot of it has to do with are you  
3 going to be cooperative or, okay, here's your  
4 coupon. So the types of vessels involved, and  
5 obviously the open motor boat, 34 percent of  
6 the time, cabin motor boat 21 percent of the  
7 time, but also we can relate to cabin motor  
8 boat accidents directly to the fueling when we  
9 have that is going to be on the cabin style  
10 motor boats. Personal water draft is actually  
11 19 percent, which I'm very happy to see. On  
12 different years when it was up, we've done a  
13 lot of education, and the rental liveries have  
14 been fantastic in working with us to keep this  
15 number down. Pontoon boats, 7 percent.  
16 Sailboats, about 12. And all other vessels,  
17 which would be your paddle craft, canoes,  
18 kayaks and your paddle boards.

19 Just a little bit to address the situation  
20 with the paddle boards. Recently the Coast  
21 Guard has just come out, it's only been within

1 the last couple months, that in vessel  
2 situations the paddle boards have the  
3 right-of-way. And may not necessarily agree  
4 with that, but one of the things that we ran  
5 into was a livery renting paddle boards out of  
6 Annapolis. And they would go, I don't know a  
7 better word for it, but I'll call it Tai Chai.  
8 They were all out in the middle with their  
9 paddle boards and doing exercises. And when  
10 that two or three ton vessel is trying to come  
11 in there and he's trying to get them all out  
12 and I guess he's giving hand signals and  
13 everybody that's rented these things "he's a  
14 nice Captain, he's waiving to us", it caused  
15 problems. So what we did, as soon as we were  
16 finding out from that, and we were finding out  
17 from a lot of boaters very quickly from our  
18 communication center. So Ms. Brown went down  
19 there and she gave material, you know,  
20 basically to the livery that was renting these  
21 out saying yes, these are boats, these are

1 boats, and you must obey the law. One of the  
2 things, you know, the channel is shared but we  
3 tried to do an educational component. Even  
4 last year when the Blue Angels flew, we took  
5 our two jet skis and we put Ms. Brown and  
6 reserve officers there with thousands of copies  
7 of materials. And they went and made contact  
8 with as many vessels as they could that were  
9 out there watching the Blue Angels for this  
10 campaign. In my opinion it was wonderful,  
11 although I don't have the numbers. But that  
12 was directly related to there. I'm sure we're  
13 going to get some complaints, but it was just  
14 awareness. Getting somebody like, yes, when  
15 you go out here you're a vessel even with the  
16 PFD's. If you're on a surf board in a beach  
17 area, you don't need it. You paddle that surf  
18 board outside of the beach area, it's now a  
19 vessel and you need to have your PFD. Again,  
20 not a lot of deaths PFD on a paddle board but  
21 it's something we need to be proactive. Just

1 like with the jet skis and the liveries, I've  
2 been five years, we have a very good  
3 relationship with the liveries. Even we just  
4 met last week with the liveries in Ocean City  
5 and they contact us, what can we do for this --  
6 you know, this young man that died, nine years  
7 old, last year in Ocean City, what can we do  
8 better. So you will see a campaign coming out,  
9 everything in the works, but this is nothing  
10 we've done now. We started working on this in  
11 August and started making the push but  
12 obviously now in January is not a good time to  
13 get this stuff out, we want to get it out  
14 during the boating season. Anyone else have  
15 any questions. Thank you. And thank you,  
16 Mike. Mike actually saw this presentation. I  
17 was down at the Kent Island Yacht Club, but  
18 they weren't listening to me, they wanted to  
19 hear about the trophy rockfish season. But I  
20 presented it and hopefully somebody took a  
21 little of the safety points away and we will



1 have at least a few less accidents during the  
2 season.

3 DEBBIE HENNIGER: I'm Debbie Henniger. We  
4 have a Baltimore County boat safety day coming  
5 up.

6 ROBERT FORD: We'll be there.

7 DEBBIE HENNIGER: Good. That's what I was  
8 going to ask you, maybe you could do something  
9 like this.

10 SPEAKER: Is that with Baltimore County  
11 marinas.

12 ROBERT FORD: Yes, we have it, and believe  
13 it or not I have my own VMS sign. What a VMS  
14 sign is, the things that State Highways put on  
15 the road for their. They will not allow me to  
16 put it on a State Highway due to their  
17 regulations with any other message than a  
18 boating -- a vehicle message, State Highways.  
19 But I went around, and you'll see that sign.  
20 And that sign will be a week before. How can  
21 you tell it's a Bob Ford sign instead of a

1 state sign, mine is green. Everybody else's is  
2 orange. Thank you for bringing that up.  
3 That's a big day. I think it's the second  
4 annual. We were there. Does everyone know who  
5 are mascot is. Because it's not PFD Panda any  
6 more. When I came in five years ago I said  
7 "what does a panda bear have to do with  
8 Maryland." So we changed it to Splash, the  
9 Water Safety Dog. Hopefully you all know that  
10 it's Splash. I had a choice of Splash's fur,  
11 whether light or dark. I went with dark  
12 because my mom always said wear something dark,  
13 you can't see the dirt. However Splash  
14 sometimes comes off as a bear. I was actually  
15 able to go down, and the first time ever, the  
16 Natural Resources Police Safety Education Unit  
17 was in the St. Patricks Day Parade in  
18 Washington D.C. And the banners on the side of  
19 my boat said "Be a Saint, always wear your life  
20 jacket." The bad thing was as I'm going down,  
21 I got the windows open, everybody else is

1 walking, I'm driving, I hear "oh, look at the  
2 bear, look at the bear." I'm yelling, "it's  
3 not a bear." And then somebody says "it's  
4 McGruff the Crime Dog." Well, it's Splash the  
5 Water Safety Dog, it's a Chesapeake Bay  
6 Retriever. So we get the message out there.  
7 And when Julie is in the costume, she is not  
8 good, she is great. She is great. So  
9 hopefully that will go. But thank you for  
10 bringing that up.

11 DEBBIE HENNIGER: So if anybody can join.  
12 What the days is going to be, it's really  
13 exciting, the Coast Guard to Baltimore Police  
14 Officers, helicopter, everything. Last year we  
15 didn't get enough material out, but we believe  
16 this year will be bigger.

17 ROBERT FORD: In Bolley's Quarters -- a  
18 lot of the fireman in Bolley's Quarters are  
19 also boating education instructors. So it will  
20 be a great day. Thank you for bringing that  
21 up.

1           JOE HELLNER:   What was the location again.

2           ROBERT FORD:   Wilson Point Park.  Is it  
3 close to Bolley's Quarters.

4           DEBBIE HENNIGER:  It's behind the airport,  
5 Glenn L. Martin, all the way in the back of the  
6 creek.

7           ROBERT FORD:   Hopefully the green sign  
8 will be somewhere on a major route, but we're  
9 tip-toeing around State Highway where we put  
10 that thing out.

11          DEBBIE HENNIGER:  It's the Baltimore  
12 County ramp right there at Wilson Point Park.

13          ROBERT FORD:   Thank you.

14          AMY CRAIG:    Thank you, Lieutenant Ford.  
15 Mike, I guess we want to move on to old  
16 business since we're running through this.  Is  
17 there any old business to discuss.  Going once,  
18 going twice.  New business.  New business.  
19 Mike is looking for Jeannine.

20          BOB LUNSFORD:  I'll do my speech now.  I  
21 don't really need it.  This mainly relates to

1 the Senate Bill 1193, the Manadere Creek bill.  
2 When the State was delegated the authority to  
3 regulate boating back in the 50's and therefore  
4 collect registration fees, the major concern --  
5 one of the major concerns among boating groups  
6 was that delegates and legislators would listen  
7 to various waterfront and home owner and --  
8 waterfront communities and waterfront home  
9 owners and would pass legislation that  
10 restricted the use of the water to benefit  
11 simply those individual waterfront communities  
12 and waterfront owners. And the result of that  
13 was the formation of this committee by  
14 legislation to provide advice and opinion on  
15 the wise use of the waters. And the bill that  
16 was -- that was introduced is exactly why this  
17 committee was formed. I already heard rumors  
18 from Calvert County that had this bill passed  
19 we would next have a bill introduced on Saint  
20 Leonard's Creek causing a speed limit. And the  
21 snowball effect of that is anybody that boats

1 over the entire state would be just a hodge  
2 podge of regulations that don't make any sense.  
3 So I would encourage everybody, and Joe, I  
4 depend on you, to meet with your delegates,  
5 make sure that the regulations that we  
6 recommend are justifiable and make some sort of  
7 sense. And, Joe, I'll volunteer to take  
8 Senator Reilly out in one of my boats any time  
9 he wants to go. But this is something that  
10 should raise the concern of every boating group  
11 in the state, that a delegate or legislator  
12 wants to come in and regulate state waters to  
13 benefit his constituents only. And I think it  
14 was a very bad move and I'm a little  
15 disappointed that the executive branch of  
16 government didn't come back and tell the  
17 legislative branch of government that maybe  
18 that was a little bit of an overreach. But my  
19 civics class didn't include that in 12th grade  
20 so I'm not sure what kind of ground I'm  
21 standing on there. But that's all I wanted to

1 say is that this was very concerning and this  
2 is why we were formed.

3 JOE HELLNER: Bob, in response to your  
4 comment. I'll make sure that you're in --  
5 you're informed with any dialogue I have with  
6 the Senator. As well as Amy. I've got -- and  
7 make sure Romona is in. I'll also contact  
8 Mike. If it's of interest -- if he determines  
9 that the whole committee should know. But I'll  
10 go ahead and run point with this, with Senator  
11 Reilly and keep Mike and you guys informed.  
12 I'm sure we'll come up with a great outing on  
13 the water that hopefully will make the Senator  
14 understand these issues better.

15 AMY CRAIG: On that note. Having attended  
16 the hearing, I was kind of shocked and appalled  
17 that -- well, first of all we were at the end  
18 of the day so most of the Senators had left. A  
19 lot of testimony, written testimony, was  
20 submitted, and they really did not seem to hear  
21 the points. So I was drastically concerned

1 that when things get to that level that our  
2 influence is completely muted. And it was very  
3 disheartening I must say. Sorry. I forced my  
4 daughter into testifying as her own little  
5 civics lesson, and she did very well but she  
6 was also a bit frustrated that the Senators  
7 weren't there to hear the testimony. It was  
8 impactful on many levels.

9           JOE HELLNER: Amy, to maybe restore your  
10 faith slightly in our legislators. Because  
11 this seemed to be one of those County courtesy  
12 things where the County -- you're familiar with  
13 how, "Oh, it's just Anne Arundel County,  
14 whatever, we'll pass it because it's a courtesy  
15 to our peers over in that County and they will  
16 do us the favor in Calvert later." Which is  
17 really a lousy way to do legislation in my  
18 opinion. Naturally when that happened I said,  
19 okay, it's going to the House, let me start  
20 contacting the Anne Arundel County delegates.  
21 And I did get a nice note back from Delegate



1 Sobb, who said, yeah, we're hearing from you  
2 guys, a lot. And his note basically said, boy,  
3 there is a lot more to this than I realize and  
4 I just want to tell you I don't think the bill  
5 is going anywhere, it's just going to die in  
6 the House Rules Committee. So that made me  
7 feel a little better that the House delegates  
8 did hear our cries and took them seriously.

9 AMY CRAIG: I want to thank Joe for  
10 chasing that down as well with his  
11 representatives. Okay. Mike, anything.  
12 Mr. Pepe.

13 JOHN PEPE: Yes. I just would like to  
14 make a comment or ask the NRP officer on State  
15 Bill 1147 since it failed, and we had approved  
16 it subject to wordsmithing, that we never saw  
17 the rewording that was done before this bill  
18 was presented. Are you planning on pursuing  
19 this bill again next year.

20 ROBERT FORD: The Manadere Creek.

21 JOHN PEPE: No, bow riding.

1           ROBERT FORD: Bow riding. Just wanted to  
2 make sure. When I left the meeting in  
3 December, I was under the impression that this  
4 was going to be done in the regulatory process.  
5 About the end of January I found out that it  
6 had never made it to the regulatory process.  
7 And I went through my chain of command. I was  
8 not invited, I was not asked to come to any  
9 hearings. So all of this went on behind there  
10 and with my stance, unless the department is  
11 for it, I can't give an opinion either way. I  
12 am very adamant that the bow riding should go  
13 on. Even though it exists, it's not very  
14 clear. And from my perspective, either --  
15 obviously if it goes into statute from an  
16 enforcement standpoint it holds a lot more  
17 weight than a regulation. But even a  
18 regulation, I would be happy. So, yes, no one  
19 from the Natural Resources Police, and  
20 especially safety ed, is giving up on the bow  
21 riding. We're going to do a lot more. After

1 the death of that young man, which is tragic,  
2 tragic. Never want it to happen again, didn't  
3 want it to happen that time obviously. But the  
4 Captain, the Lieutenant and my, as a Sergeant,  
5 we went down to Ocean City and visited with  
6 livery operations. You understand that the  
7 contract that I have with them is not for them  
8 leasing boats, the contract that the State has  
9 with them only allows them to rent a vessel to  
10 someone that does not have a boating  
11 certificate. If someone gets on that vessel  
12 who was born before 1972, it's an exemption.  
13 They do not need to have any information  
14 whatsoever. So we started -- we made different  
15 regs, but unfortunately when you have different  
16 layers, we had proposed to move forward to  
17 actually testing the boat rentals. But it's  
18 like what authority do you have to give  
19 everyone a test. So through the advice of the  
20 Attorney General, it's like, okay, look at  
21 this. Because obviously when we move forward

1 with this, we want to have, for lack of a  
2 better word, all of our ducks in a row. And,  
3 again, the liveries that we visited in Ocean  
4 City, everyone was on board. And one of the  
5 things that we do, and I know Mr. Nickel is a  
6 little bit unique, but some of these locations  
7 in Ocean City, you know, there is somebody  
8 that, okay, I'm a sophomore in college and now  
9 I'm renting somebody a boat today. And so it's  
10 educating them and getting them up. What we  
11 even do in Ocean City is kind of unique,  
12 because you can't take out a PWC without a  
13 guide. So we do guide training. Yes, we're  
14 interested in working with Allison and the  
15 Department to pursue this and to move on.  
16 Again, just to clarify, and it's hard even with  
17 the legislature, this regulation against this  
18 already exists. All we're trying to do is  
19 clarify it because of this horrific thing that  
20 happened, and like "we didn't know, we didn't  
21 no, we couldn't see the person." We don't want

1 it to happen again. Every one of our officers,  
2 if someone is on that vessel with limbs hanging  
3 out, I'm not talking about dipping crabs,  
4 that's something we see every day, I'm talking  
5 about riding on the bow with the feet hanging  
6 off, they immediately stop and they deal with  
7 it. But if a judge is not willing to pursue  
8 it, you're going to keep bringing these tickets  
9 into him and your credibility is going to be  
10 lost in that court. So they do the best they  
11 can. And our officers in Ocean City were the  
12 ones that came to me within two days and said  
13 we need to do something. And that's when  
14 Senator Mathias came in and Delegate Carozza.  
15 I can tell you right now they have been  
16 excellent. We met with both of them and they  
17 are also supportive. But, yes, we support it.

18 COLES MARSH: Quick question for you. The  
19 fly boards and the jet packs, anything updated  
20 on that that's caused any concern in Ocean City  
21 primarily where they fly around.

1           ROBERT FORD: The jets. Is everyone  
2 familiar with what they are? When those things  
3 came out, it was like a nightmare, what do we  
4 do with those. They are actually a vessel and  
5 we have regulations on them. The good thing  
6 about it, most of the liveries that have them,  
7 they are still in their infancy. I expect  
8 you'll see more. One of the things was  
9 distance. And we've actually, you know -- we  
10 stay -- there's a gentleman down there that  
11 does professional exhibits, and we had to go  
12 back to him at least once because he's saying  
13 "no, I stay 100 feet" and we've got film of him  
14 about 20 feet off the deck of one of these bars  
15 doing it. So, yes, that's a concern. But  
16 another one, again, technology changes quicker  
17 than I do. Licensing sent me a video. It's a  
18 pod, looks like a jet ski. It's a ski platform  
19 but it's unmanned. So the person on the ski,  
20 it's a tow rope and it has a T handle. The T  
21 handle has all these controls. So I'm looking

1 at this thing and it's a single unit manned by  
2 itself. So you ski all by yourself. Is this  
3 legal, somebody wants to license one of these.  
4 And I went back and I was like, wow, where do I  
5 start with this. The best thing is the ski  
6 regulations are not in regulation, they are in  
7 statute. So I go look, it says a spotter. The  
8 spotter has to be on the vessel towing it.  
9 Can't be in a separate vessel. I said, no,  
10 they're illegal, because you can't have a  
11 spotter. If you don't have a spotter, it's in  
12 the statute, that was quick. But I expect to  
13 see the next layer of the jet levs. But so far  
14 we haven't had that many concerns other than  
15 people calling us, but no accidents per se.  
16 But we'll keep an eye on it but I'm ready for  
17 the next technology. It's coming. Our  
18 technology changes quicker than we do. And if  
19 you've ever seen me in the morning, especially  
20 on a Monday trying to get that computer up in  
21 and running, you'd probably not think I'm the

1 man for the job.

2 AMY CRAIG: Thornell.

3 THORNELL JONES: Given the Lieutenant's  
4 testimony about the courts not taking a proper  
5 response to incidents of bow riding, I think  
6 that we ought to spend some time trying to come  
7 up with proper wording for legislation to pass  
8 on.

9 AMY CRAIG: Motion.

10 THORNELL JONES: So I would move that we  
11 do that.

12 AMY CRAIG: Is there a second.

13 JOE HELLNER: I'll second it.

14 AMY CRAIG: All in favor. Nays. No nays.  
15 Okay. So then we'll move forward in helping  
16 DNR and NRP come to some regulatory language  
17 that makes it more clear, what we will be  
18 acceptable and unacceptable for bow riding.

19 BOB LUNSFORD: I nominate Clint.

20 AMY CRAIG: Anything else from you, Mike.

21 MIKE GRANT: I have nothing.



1           AMY CRAIG: Anybody.

2           RUSS DWYER: I make a motion we adjourn.

3           AMY CRAIG: Second.

4           COLES MARSH: Second.

5           AMY CRAIG: All in favor. Wait, do we  
6 need to discuss next meeting.

7           MIKE GRANT: I've been sending it as a  
8 doodle poll recently rather than trying to  
9 decide now and checking your calendars. So if  
10 that's okay, I'll continue to do that.

11          AMY CRAIG: All in favor of doodle.

12          JOE HELLNER: Doodle is good.

13          AMY CRAIG: Thank you, Mike. We are  
14 adjourned.

15          (Meeting concluded at 11:13 a.m.)

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STATE OF MARYLAND

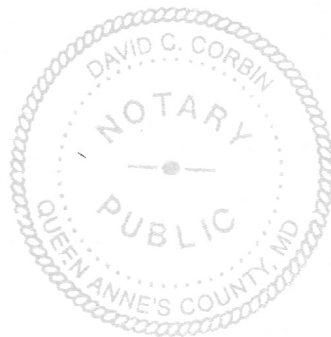
I, David Corbin, a Notary Public in and for the State of Maryland, do hereby certify that the within named, MARYLAND BOAT ACE ADVISORY COMMITTEE, personally appeared before me at the time and place herein set according to law, was interrogated by counsel.

I further certify that the examination was recorded stenographically by me and then transcribed from my stenographic notes to the within printed matter by means of computer-assisted transcription in a true and accurate manner.

I further certify that the stipulations contained herein were entered into by counsel in my presence.

I further certify that I am not of counsel to any of the parties, not an employee of counsel, nor related to any of the parties, nor in any way interested in the outcome of this action.

AS WITNESS my hand and Notarial Seal this 10th day of May, 2017, at Centerville, Maryland



A handwritten signature in cursive script that reads "David C. Corbin".

David C. Corbin  
Notary Public

My commission expires November 19, 2019

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