

# **Maryland Boat Act Advisory Committee**

## **Membership Manual**

**July 2021**

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## INTRODUCTION

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### ***Welcome to the Maryland Boat Act Advisory Committee***

The Maryland Department of Natural Resources (DNR) thanks you for being part of the Boat Act Advisory Committee (BAAC). As a member of the BAAC, you will be involved in making very important decisions that will affect Maryland boaters.

This guide is intended to introduce and familiarize members with the purpose, procedures, and history of the BAAC. The information will be updated as necessary.

### ***History of the Maryland State Boat Act***

The Maryland State Boat Act was enacted in 1960 to work in harmony with the United States Coast Guard regulatory scheme and provided that revenue generated through regulating boating activity would be earmarked for boating and maritime purposes.

- [History of the Maryland State Boat Act](#)
- [A First-Hand Account Regarding Creation of the Maryland Boat Act](#)

### ***Maryland Boat Act Advisory Committee***

The BAAC was established as part of the Boat Act in 1960 so that boating regulations would be developed in cooperation with the boating community. The purpose of the BAAC is to make recommendations to the Secretary of the Department of Natural Resources (DNR) on boating regulation requests. The charge of the BAAC is to represent all users of the waters of the State of Maryland. The members are appointed by the Secretary of the Department of Natural Resources and have a variety of experience and expertise in boating related matters. The BAAC meets on a regular basis to review regulatory requests. Meetings are open to the general public and public input is encouraged.

- [Maryland Boat Act Advisory Committee](#)
- [DNR online calendar](#)
- [Operating Guidelines](#)

## STATUTES, REGULATIONS, AND OPERATING GUIDELINES

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### ***What is the difference between a regulation and a statute?***

<https://dnr.maryland.gov/fisheries/pages/regulations/lawsandregs.aspx>

### ***Statutes***

Annotated Code of Maryland:

- [Natural Resources Article, §1-102](#)
- [Natural Resources Article, §8-704](#)

### ***Regulations***

The Code of Maryland Regulations ([COMAR 08.01.01.02](#)) provides guidelines for the number of members, length of membership, reappointment opportunities, and meeting timeline.

### ***Operating Guidelines***

In addition to statute and regulation, the BAAC is governed by a set of [Operating Guidelines](#).

## **RESPONSIBILITIES OF MEMBERS**

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### ***What to Expect as a Member of the Maryland Boat Act Advisory Committee***

The participation of BAAC members is an important part of the regulatory review process and the creation of boating regulations. In addition to reviewing requests for boating regulations, the BAAC may occasionally be asked to review other natural resource related issues that affect the boating public. Typically, these issues are related to fisheries, the boating industry, boating equipment, or proposed legislation.

- [Operating Guidelines](#)

### ***Meeting Schedule and Attendance***

Meeting dates are determined during the first meeting of the year and are posted on the DNR online calendar and on the DNR Boating regulations web page. Meetings are open to the general public and public input is encouraged. Members are expected to attend all meetings. Repeated absences or missed meetings may result in removal from the BAAC.

- [Operating Guidelines](#)
- [Boat Act Advisory Committee Meetings](#)
- [DNR online calendar](#)

### ***Reimbursement and Other Provisions***

Please see the [Operating Guidelines](#)

### ***Field Visits and Site Reviews***

Members may participate in field visits during the boating season to view the areas where potential regulations have been requested. Prior to field visits, BAAC members familiarize themselves with the area by reviewing public comments, maps, and other information.

- [Operating Guidelines](#)
- [Changes to Boating Regulations](#)

### ***Subcommittees***

The BAAC Chairperson may appoint members to subcommittees to research and address special boating issues and provide a report to the full committee.

- [Operating Guidelines](#)

## PROCESS FOR REGULATION CHANGES

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- Step 1. Requests for new or updated boating regulations must be submitted no later than April 15<sup>th</sup> each year. Google forms for requesting a change are available on the [Changes to Boating Regulations](#) web page.
- Step 2. The Department of Natural Resources gathers information (historical background, violations in the area, erosion, etc.) for each request and prepares a report that will be given to the BAAC.
- Step 3. The scoping process begins. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. The Department of Natural Resources will place a buoy in the area to advise boaters that the area is under study, post the report on the website, and request public feedback via email and social media. All information is posted on the [Changes to Boating Regulations](#) web page.
- Step 4. During the scoping period, additional information (public comments, site visits, etc.) will be gathered. The report will be updated throughout the process.
- Step 5. The BAAC will deliberate the requests and submit final recommendations to the Secretary of the Department of Natural Resources.
- Step 6. The Secretary of the Department of Natural Resources will determine if a regulation will be proposed and processed in accordance with established protocols.

## RECOMMENDATIONS AND APPROVALS

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### *Public Meetings and Preparation for Meetings*

Members are expected to be familiar with the issues and the areas that will be discussed at the meeting. The reports for each area will include the request and available background information (numbers of citations and warnings issued in the area, erosion report, comments from the public, and pertinent historical data).

- [Operating Guidelines](#)
- [Boat Act Advisory Committee Meetings](#)

### *Things Considered for Each Request*

- [Regulation Request Evaluation Criteria](#)

### ***What Happens at Meetings?***

The BAAC operates under an informal Roberts Rules of Order. After a meeting is called to order and a quorum is determined (a simple majority), the Chairperson will ask the members to introduce themselves. The Chairperson will then proceed through the agenda, allowing citizens to participate at appropriate times. Following the review of each request, the BAAC deliberative session begins.

- [Operating Guidelines](#)

### ***Deliberations***

During the BAAC's deliberative session, the Chairperson will ask for a motion regarding each request after which the motion will be open to discussion. During the discussion period, DNR staff may provide information in response to the BAAC's questions about the area or as to the Department's recommendation, but comments from citizens are not allowed during the deliberative session. The BAAC will decide by motion to accept, deny, or take no action regarding each petition. The decisions made will become the recommendations that are submitted to the Secretary of DNR.

The BAAC takes it charge seriously and with the greatest respect for the Chesapeake Bay and all waters of the State, as well as those who come before us. Deliberations of the BAAC strive to accommodate the concerns and needs of all those who use State waters.

### ***What Happens After Recommendations Are Formulated?***

The BAAC's recommendations regarding the requests for regulation changes are forwarded to the Secretary of the Department of Natural Resources. The Secretary of the Department of Natural Resources will determine if a regulation will be proposed and processed in accordance with established protocols.

If the Secretary determines that 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

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BAAC Members

<https://dnr.maryland.gov/boating/Pages/regulations/baac-members.aspx>

The Code of Maryland Regulations (COMAR)

Statewide Boating Rules — [COMAR 08.04.01—.16](#)

Speed Limits and Operation of Vessels — [COMAR 08.18.01—.40](#)

The Maryland Register published by the Division of State Documents

<https://dsd.maryland.gov/Pages/MDRegister.aspx>

The Maryland General Assembly

[General Assembly](#) home page

[Legislation](#) search page

[Statute](#) search page

For additional information on the Boat Act Advisory Committee, please call:

410-260-8300 or email: [customerservice.dnr@maryland.gov](mailto:customerservice.dnr@maryland.gov)