

# Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

## Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

## Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

## Title 08

# DEPARTMENT OF NATURAL RESOURCES

## Subtitle 04 BOATING

### 08.04.03 Certificate of Boat Number

Authority: Natural Resources Article, §§8-704(c), 8-710.2, [and] 8-712, and 8-712.1, Annotated Code of Maryland

#### Notice of Proposed Action

[21-178-P]

The Secretary of Natural Resources proposes to amend Regulation **.10** under **COMAR 08.04.03 Certificate of Boat Number**.

#### Statement of Purpose

The purpose of this action is to update the rules for validation stickers. The Annotated Code of Maryland and the Code of Federal Regulations have requirements for validation stickers. The number and placement of the stickers need to be clarified in regulation so that Maryland is in compliance with the federal rules.

Currently, there is an incorrect reference to a statute. The current regulation references Natural Resources Article, §8-712, Annotated Code of Maryland. The proposed action corrects the reference by changing it to Natural Resources Article, §8-712.1, Annotated Code of Maryland. In order to use Maryland waters, a vessel numbered by Maryland must have two 2-year validation stickers affixed to the vessel. The current process is to issue two validation stickers with instructions for how to display them; however that is not included in regulation. The proposed action specifies that two stickers are required on the vessel and that the stickers need to be placed within 6 inches of the vessel identification number.

There are two scenarios where an individual may not receive their 2-year validation stickers immediately. The proposed action establishes exemptions to authorize a boat owner to display temporary decals or provide proof of purchase for a certain period of time to allow for a delay in shipping of validation stickers. The first

exemption is for an individual who purchases a vessel from a Maryland licensed boat dealer. If the vessel that the individual purchases will be titled in Maryland, the individual receives temporary registration decals. The temporary decals are only issued by a Maryland licensed boat dealer and are only valid for 60 days. After the purchase, the dealer provides all of the information to the Department. The Department then issues the validation stickers to the purchaser. The temporary decals must be displayed until the customer receives the 2-year stickers. If the decals are not displayed or if the decals have expired, the vessel may not be used on Maryland waters.

The second exemption is for an individual who purchases validation stickers from a location (online or authorized vendor) other than a Department of Natural Resources licensing service center. These individuals do not receive validation stickers immediately. The Department processes the request and mails the validation stickers to the individual within 10 calendar days. The transaction is listed on the individual's receipt. The proposed action establishes an exemption that allows a licensee to provide proof of purchase for up to 10 days in lieu of the stickers being affixed to the boat. The individual who purchased the validation stickers must be present on the boat and be in possession of their receipt that shows the date the stickers were purchased. If the purchaser is not on the boat, does not have the proof of purchase in possession, or more than 10 calendar days have passed, then the vessel may not be used on Maryland waters.

The proposed changes will ensure Maryland's compliance with federal rules and place the Department's process into regulation.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Validation Stickers Regulations, Regulatory Staff, Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, Maryland 21401, or call 410-260-8417, or email to boatingregspubcomment.dnr@maryland.gov. Comments will be accepted through December 6, 2021. A public hearing has not been scheduled.

**.10 Validation Stickers.**

A. [In] *Except as provided in §F of this regulation, in order to use Maryland waters, a vessel numbered by the State [must] shall display two validation stickers issued in accordance with the provisions of Natural Resources Article, [§8-712] §8-712.1, Annotated Code of Maryland.*

B.—D. (text unchanged)

E. *One validation sticker shall be affixed to the vessel:*

- (1) *On each side of the vessel; and*
- (2) *Within six inches of the vessel number.*

F. *Exemptions.*

(1) *Temporary Registration Decals. A vessel is exempt from the requirement of displaying validation stickers if the temporary registration decals obtained from the licensed boat dealer are displayed and have not expired.*

(2) *Proof of Purchase. A vessel is exempt from the requirement of displaying validation stickers if:*

- (a) *The individual who purchased the validation stickers is present on the vessel for which the stickers were issued;*
- (b) *The individual who purchased the validation stickers is in possession of the proof of purchase issued by the Department; and*
- (c) *The validation stickers were purchased within the previous 10 calendar days.*

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to J. Michael Hopkins, Executive Director, Racing Commission, 300 East Towsontown Blvd., Towson, MD 21286, or call 410-296-9682, or email to mike.hopkins@maryland.gov, or fax to 410-296-9687. Comments will be accepted through December 6, 2021. A public hearing has not been scheduled.

**.01-1 Restricted Use of Medications and Other Substances.**

The use of the following medications and other substances [are] is permitted if quantitated at not more than the specified thresholds:

A. (text unchanged)

[A-1.] B. (text unchanged)

[B. Betamethasone quantitated at not more than 10 picograms per milliliter of blood plasma or serum;]

C.—D. (text unchanged)

[D-1.] E.—[G.] I. (text unchanged)

[H. Dexamethasone quantitated at not more than 5 picograms per milliliter of blood plasma or serum;]

[I.] J.—[N.] O. (text unchanged)

[O. Isoflupredone quantitated at not more than 100 picograms per milliliter of blood plasma or serum;]

P.—V. (text unchanged)

[W. Prednisolone quantitated at not more than 1 nanogram per milliliter of blood plasma or serum;]

[X.] W.—[Y.] X. (text unchanged)

[Z. Tiamcinolone acetamide quantitated at not more than 100 picograms per milliliter of blood plasma or serum;]

[AA.] Y.—[EE.] CC. (text unchanged)

EMMET DAVITT  
Chairman  
Maryland Racing Commission

**Title 09**

**MARYLAND DEPARTMENT OF LABOR**

**Subtitle 10 RACING COMMISSION**

**09.10.03 Prohibited Acts**

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

**Notice of Proposed Action**

[21-180-P]

The Maryland Racing Commission proposes to amend Regulation **.01-1** under **COMAR 09.10.03 Prohibited Acts**. This action was considered at a public meeting held on September 23, 2021.

**Statement of Purpose**

The purpose of this action is to further the safety and welfare of horses participating in Maryland races by deleting regulatory provisions that permit a restricted amount of a corticosteroid in a horse's system when it races.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Title 10**

**MARYLAND DEPARTMENT OF HEALTH**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.80 Community-Based Substance Use Disorder Services**

Authority: Health-General Article, §§2-104(b), 7.5-204, 7.5-205(d), 7.5-402, [8-204(c)(1),] 15-103(a)(1), and 15-105(b), Annotated Code of Maryland

**Notice of Proposed Action**

[21-170-P]

The Secretary of Health proposes to amend Regulations **.01, .03, .05, .06, and .08** under **COMAR 10.09.80 Community-Based Substance Use Disorder Services**.

**Statement of Purpose**

The purpose of this action is to update licensing information, add a combination of service rule requirement for substance use disorder providers who bill for laboratory services, and implement a 4 percent