

Chapter 428

(House Bill 195)

AN ACT concerning

**Marine Contractor License – ~~Performance of Services – Licensing~~
Authorization, Requirements, and Fees**

FOR the purpose of authorizing a unit of local government to qualify for a marine contractor license; exempting an individual employed by a county or municipality in the State who performs marine contractor services while in the performance of the duties of their employment from paying a fee for the issuance or renewal of a marine contractor license or a test administered by the Marine Contractors Licensing Board; authorizing an individual employed by a county or municipality in the State to perform marine contractor services while in the performance of the duties of their employment without having to obtain a marine contractor license under certain circumstances; and generally relating to marine contractor licenses and fees.

BY repealing and reenacting, with amendments,
Article – Environment
Section 17–301
Annotated Code of Maryland
(2014 Replacement Volume and 2021 Supplement)

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

Article – Environment

17–301.

(a) Except as otherwise provided in this title, a person shall be licensed by the Board as a marine contractor or be employed by an individual or entity that is licensed as a marine contractor before the person may:

- (1) Perform marine contractor services in the State; or
- (2) Solicit to perform marine contractor services in the State.

(b) An individual ~~or~~, an entity, OR A UNIT OF LOCAL GOVERNMENT may qualify for a license.

(c) An individual who is employed by an agency of the federal government or the State may perform marine contractor services while in the performance of the duties of their employment without having to obtain a license from the Board under this title.

(d) A residential or commercial property owner may perform marine contractor services on the property owner's own property without having to obtain a license from the Board under this title.

(E) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO IS EMPLOYED BY A COUNTY OR MUNICIPALITY IN THE STATE.

(2) AN INDIVIDUAL WHO PERFORMS MARINE CONTRACTOR SERVICES WHILE IN THE PERFORMANCE OF THE DUTIES OF THEIR EMPLOYMENT IS NOT REQUIRED TO PAY A FEE FOR:

(I) THE ISSUANCE OR RENEWAL OF A LICENSE; OR

(II) A TEST ADMINISTERED BY THE BOARD.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL MAY PERFORM MARINE CONTRACTOR SERVICES WHILE IN THE PERFORMANCE OF THE DUTIES OF THEIR EMPLOYMENT WITHOUT HAVING TO OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE IF THE INDIVIDUAL IS PERFORMING MARINE CONTRACTOR SERVICES ~~FOR:~~

~~**1. THE ROUTINE MAINTENANCE OR REPAIR OF A TIDAL IMPOUNDMENT DIKE, AN AGRICULTURAL DRAINAGE DITCH, A HIGHWAY DRAINAGE DITCH, A ROADSIDE DRAINAGE DITCH, OR AN OUTLET FOR A ROADSIDE DRAINAGE DITCH; OR**~~

~~**2. ANY OTHER MARINE CONTRACTOR SERVICE THAT THE BOARD DETERMINES WOULD THAT:**~~

1. WOULD PRESENT A DE MINIMIS RISK TO HUMAN HEALTH OR THE ENVIRONMENT;

2. DO NOT REQUIRE A FEDERAL OR STATE PERMIT; AND

3. IF THE MARINE CONTRACTOR SERVICES INVOLVE AN EXISTING STRUCTURE, DO NOT INCREASE THE FOOTPRINT OF THE STRUCTURE.

(II) IF AN INDIVIDUAL IS PERFORMING MARINE CONTRACTOR SERVICES FOR THE ROUTINE MAINTENANCE OR REPAIR OF AN EXISTING SHORE EROSION CONTROL STRUCTURE, THE INDIVIDUAL SHALL OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved by the Governor, May 16, 2022.