

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1686

H.P. 1175

House of Representatives, March 4, 1999

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### An Act to Require the Inspection of Commercial Inland Vessels.

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Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 12 MRSA §7806 is enacted to read:

**§7806. Inspection of commercial inland vessels**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Commercial vessel" means any vessel operating on inland waters that:**

**(1) Carries 10 or more passengers for a fee, is rented to others by a business enterprise or is used in the normal course of business operations; and**

**(2) Carries more than 50 gallons of toxic fluids or provides on-board toilet facilities.**

**B. "Toxic fluid" means any liquid that will or may potentially cause harm to aquatic plant and animal life if released into a water body. This includes sewage, effluent, oil, petroleum products or by-products, gasoline, diesel fuel, hydraulic fluid, industrial solvents and other chemical solutions.**

**2. Annual inspection requirements.** All commercial vessels must be inspected annually by a qualified, impartial inspector designated by the commissioner. The commissioner may designate the inland water harbor master as set forth in section 7803 as the inspector under this section. The inspections must be designed to determine that the vessel is safe and structurally sound, that all operating systems are in good functioning order and that all systems containing toxic fluids are sufficiently maintained to minimize the possibility of a leak or spill occurring. The inspections must be performed annually, but more frequent inspections may be required if considered necessary by the commissioner.

**3. Holding tank regulations.** All commercial vessel holding tank discharge openings and pumping hatches must be sealed prior to operation on any inland body of water. The openings may be unsealed only for pumping or maintenance operations.

**4. Inspection fees.** Fees for inspections are as follows:

**A. Vessels 30 feet and under, \$100;**

**B. Vessels 31 to 40 feet, \$150;**

2           C. Vessels 41 to 50 feet, \$200; and

4           D. Vessels 51 feet and above, \$250.

6           5. Enforcement and penalties. If the inspection  
8           requirements are met, the commissioner or inspector shall issue a  
          certificate of inspection compliance after the payment of the  
10           applicable inspection fee. Operation of a commercial vessel  
          without a valid certificate of inspection compliance is a  
12           violation of this section and the owner or owners of the  
          commercial vessel are be subject to a fine of \$100, in addition  
14           to the other penalties set forth in section 7901. Each trip by  
          the vessel is considered a separate violation. If a vessel fails  
16           inspection under this section, the commissioner or inspector  
          shall issue a stop use order. Refusal to comply with a stop use  
18           order or refusal to submit to an inspection is punishable by a  
          fine of \$10,000.

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#### SUMMARY

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24           This bill proposes to require the Commissioner of Inland  
          Fisheries and Wildlife to annually inspect all commercial vessels  
26           operating on inland bodies of water and to determine that the  
          vessel is safe and in compliance with environmental laws and  
          regulations.