

SENATE BILL 863

M3

11r2898
CF 11r2758

By: **Senator Simonaire**

Introduced and read first time: February 16, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Exemption from Noise Restrictions – Marinas and Boatyards**

3 FOR the purpose of adding an exemption to the list of exemptions from the authority
4 of the Department of the Environment to adopt certain noise restrictions for the
5 noise from equipment used to store and maintain certain vessels during certain
6 times at a marina or boatyard; and generally relating to the authority of the
7 Department of the Environment to restrict noise.

8 BY repealing and reenacting, without amendments,
9 Article – Environment
10 Section 3–401(a)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 3–401(d)
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2010 Supplement)

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

20 **Article – Environment**

21 3–401.

22 (a) Except as otherwise provided by law, the Department shall adopt
23 environmental noise standards, sound level limits, and noise control rules and
24 regulations as necessary to protect the public health, the general welfare, and
25 property.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) This section does not authorize the Department to adopt
2 environmental noise standards, sound level limits, or noise control rules and
3 regulations that apply to noise from:

4 (i) Construction or repair work on public property;

5 (ii) Fire or rescue station alerting devices; [or]

6 (iii) In Frederick County or Frederick City:

7 1. A fair listed in the Maryland Agricultural Fairs and
8 Shows Schedule that is maintained by the Maryland Agricultural Fair Board; or

9 2. Any other event held on the same grounds as a fair
10 under item 1 of this item; **OR**

11 **(IV) EQUIPMENT USED TO STORE AND MAINTAIN A MARINE**
12 **VESSEL BETWEEN THE HOURS OF 7 A.M. AND 7 P.M. AT A MARINA OR BOATYARD.**

13 (2) Noise control rules and regulations that apply to Department of
14 Transportation facilities shall be adopted jointly by the Department of Transportation
15 and the Department of the Environment.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.