

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:		
(1) Dealers of nonprohibited species	(+)	Indeterminable
(2) Dealers of prohibited species	(-)	Indeterminable
F. Direct and indirect effects on public:		
(1) Recreational anglers — use of bait	(-)	Indeterminable
(2) Recreational anglers — fish availability	(+)	Indeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

E(1). Bait dealers who sell nonprohibited species may see an indeterminable positive impact from this action. If anglers still seek live bait and cannot purchase any of the prohibited species for bait, they may seek legal alternatives. Dealers who sell those legal alternatives would benefit.

(2). Dealers who sell species which will be prohibited as bait may see a minor, indeterminable impact if those species are prohibited as bait. It is not believed that there are significant numbers of these fish being sold as bait, but anecdotally there is some amount of these species currently being sold as bait.

F(1). Recreational anglers who currently use a species as bait which will be prohibited by this action will need to find alternative baits. This may result in a negative impact because an alternative bait may be more expensive. It is also possible an alternative bait is not more expensive, but the actual impact of this action on individuals who purchase these species for bait is indeterminable. Individuals who currently use fish they have caught themselves as bait may be negatively impacted if they can no longer use those species as bait, as they will have to either target different species or purchase bait.

(2). By prohibiting certain species as bait there may be less harvest of those species most recreational anglers see as desirable target species such as largemouth and smallmouth bass. Less harvest of those species may increase availability, leading to greater angler satisfaction. Smallmouth and largemouth bass fishing trips generate an estimated economic impact of 150 million dollars per year in the State of Maryland.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows:

This action may have an indeterminable impact on fishermen who currently use a species for bait which will be prohibited under this action, or dealers who sell those species for bait.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Bait Regulations, Regulatory Staff, Department of Natural Resources, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or complete the comment form at <https://dnr.maryland.gov/fisheries/Pages/regulations/changes.aspx#bait>. Comments will be accepted through May 22, 2023. A public hearing has not been scheduled.

.01 Purpose.

The purpose of this chapter is to *control the use of bait in State waters* and implement Natural Resources Article, §4-702, Annotated Code of Maryland, which requires licensure of persons dealing in finfish or shellfish and provides an exception for those persons who catch and sell certain species of finfish or shellfish as bait.

.03 Prohibited Species.

A. *The species listed in this regulation may not be used as bait in State waters.*

B. *Prohibited species:*

- (1) *Largemouth bass;*
- (2) *Muskellunge;*
- (3) *Northern pike;*
- (4) *Pickrel;*
- (5) *Smallmouth bass;*
- (6) *Striped bass;*
- (7) *Striped bass hybrids;*
- (8) *Tiger muskellunge;*
- (9) *All species of trout; and*
- (10) *Walleye.*

JOSH KURTZ
Secretary of Natural Resources

Subtitle 04 BOATING

08.04.07 Boating Accidents

Authority: Natural Resources Article, §§8-704[and], 8-712, and 8-724, Annotated Code of Maryland

Notice of Proposed Action

[23-060-P]

The Secretary of Natural Resources proposes to amend Regulation **.01** under **COMAR 08.04.07 Boating Accidents**.

Statement of Purpose

The purpose of this action is to amend Regulation .01 under COMAR 08.04.07 Boating Accidents. The action will align the Code of Maryland Regulations (COMAR) with current United States Coast Guard reporting requirements and the Maryland Annotated Code. Currently, the Code of Federal Regulations (CFR), COMAR, and the Maryland Annotated Code all have language which requires submission of a written accident report in the event of an accident which exceeds a certain damage amount. Currently, there is a \$200 damage threshold requirement under COMAR 08.04.07.01 Report of Boating Accidents. However, the United States Coast Guard under 33 CFR §173.55(a)(3) and the Maryland Annotated Code under Natural Resources Article, §8-724, have a \$2,000 damage threshold amount requirement. This action will update the damage threshold in COMAR to reflect the higher amount.

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 Housekeeping – Boating Accident Regulations, Regulatory Staff, Fishing and Boating Services, Department of Natural Resources, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to boatingregspubliccomment.dnr@maryland.gov. Comments will be accepted through May 22, 2023. A public hearing has not been scheduled.

.01 Report of Boating Accidents.

A. — B. (text unchanged)

C. The operator shall submit a written report if any one or more of the following occurs on board, or involving any vessel, except a vessel required to have a certificate of inspection under Chapter 1 of Title 46, Code of Federal Regulations.

(1) — (3) (text unchanged)

(4) The loss or damage to property of any kind, including one or more vessels, in an amount of [\$200] \$2,000 or more.

D — F. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources

**Title 13A
STATE BOARD OF
EDUCATION**

Subtitle 06 SUPPORTING PROGRAMS

13A.06.07 Student Transportation

Authority: Education Article, §§2-205, [5-205] 5-218, and 8-410, Annotated Code of Maryland

Notice of Proposed Action

[23-025-P]

The Maryland State Board of Education proposes to amend Regulations .06—, .08, .11, .12, .18, and .19 under **COMAR 13A.06.07 Student Transportation**. This action was considered by the State Board of Education at its January 24, 2023, meeting.

Statement of Purpose

The purpose of this action is to remove the requirements of being identified as an alcoholic or drug addict, successfully participating in 6 months of treatment, and being free of drugs or alcohol for 10 years. In place of these, the proposed requirement would be to follow a substance abuse professional’s treatment or education recommendations. The amendments also correct cross-reference errors.

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 Gabriel Rose, State Director of Pupil Transportation, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-0209, or email to gabriel.rose1@maryland.gov. Comments will be accepted through May 22, 2023. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on June 27, 2023, at 9 a.m., at 200 West Baltimore Street, Baltimore, MD 21201.

.06 School Vehicle Driver Trainee and School Vehicle Driver Qualifications.

A. School Vehicle Driver Trainee Qualifications. Before a school vehicle driver trainee transports a student in a school vehicle, the trainee shall:

(1)—(2) (text unchanged)

(3) Complete the preservice instruction required under Regulation [.09A] .10A of this chapter;

(4)—(6) (text unchanged)

(7) Receive a negative controlled substances test result required under Regulation [.10] .11 of this chapter.

B. School Vehicle Driver Qualifications. A school vehicle driver shall:

(1) Do the following:

(a) (text unchanged)

(b) Complete the in-service instruction required under Regulation [.09B] .10B of this chapter;

(2)—(3) (text unchanged)

C. (text unchanged)

.07 School Vehicle Driver and Trainee Disqualifying Conditions and Termination.

A.—B. (text unchanged)

C. Disqualification for Criminal Conduct.

(1)—(3) (text unchanged)

(4) A school vehicle driver or trainee who engages in conduct prohibited under Regulation [.10B(2)] .11B(2) of this chapter is disqualified from operating a school vehicle in Maryland, except as provided under Regulation [.10D] .11D of this chapter.

D.—F. (text unchanged)

.08 School Vehicle Attendant Qualifications and Disqualifications.

A. A school vehicle attendant shall:

(1) Complete the preservice instruction under Regulation [.09D(1)] .10D(1) of this chapter;

(2)—(3) (text unchanged)

(4) Complete the prescribed in-service instruction every 12 months under Regulation [.09D(2)] .10D(2) of this chapter.

B. —D. (text unchanged)

.11 Alcohol and Controlled Substances Use and Testing.

A.—C. (text unchanged)

D. Return to Service of Disqualified Drivers.

(1) An individual who has been disqualified from driving a school vehicle in Maryland under §B of this regulation may not be considered for service as a school vehicle driver in any local school system unless the individual submits to the local supervisor of transportation a statement signed by a substance abuse professional certifying under oath that the individual has [:] *successfully completed the substance abuse professional’s education program, treatment recommendations, or both.*

[(a) Been determined, by the substance abuse professional, to be a recovering alcoholic or drug addict;

(b) Successfully participated in a controlled substances or alcohol abuse treatment program of at least 6 months duration