

DEPARTMENT OF MARINE RESOURCES
Chapter 1 Watercraft Excise Tax Decal

SUMMARY:

~~These regulations govern the placement of the excise tax decal required by 36 M.R.S.A. §1504(7) on watercraft for which the tax authorized by 36 M.R.S.A. §1504(1) has been paid.~~

1.01 Purpose

~~These regulations describe the proper placement of a decal evidencing payment of the watercraft excise tax on the watercraft for which the tax is paid.~~

1.02 Definitions

The definitions set forth in 36 M.R.S. Chapter 112 §1501 et seq. shall apply to the terms used in this chapter.

1.03 Placement of Excise Tax Decal

~~A. On watercraft registered and displaying a certificate of number pursuant to 12 M.R.S.A. §7794, the excise tax decal shall be displayed not more than three (3) inches to the right of the Maine Department of Inland Fisheries and Wildlife validation sticker and on the same level as the sticker on both sides of the bow.~~

AB. On watercraft documented under the laws of the United States and not registered pursuant to 12 M.R.S. §13056-§7794, the excise tax decal shall be displayed on the wheelhouse or forward topsides so that the decal is visible clearly to observers of the port and starboard sides of the watercraft.

BC. On watercraft more than twenty (20) feet in length that are not registered under 12 M.R.S. §13056 §7794 and not documented under the laws of the United States, the excise tax decal shall be displayed on both sides of the bow so as to be visible clearly to observers.

1.04 Rules Governing the Inspection of Watercraft by a Marine Patrol Officer

A. Safety Requirements for Watercraft

1. All watercraft shall meet the requirements specified in 12 M.R.S. Chapter 935 §7794, as amended, and the U.S. Federal Boating Safety Act of 1971 (46 U.S.C.A. §1451, et seq., as amended).
2. At the time the Marine Patrol Officer arrives within the vicinity of the stopped watercraft, the Marine Patrol Officer will make his intentions known to the operator and/or occupants of the watercraft.
3. A Marine Patrol Officer may inspect the documents, licenses and permits of the watercraft and conduct an inspection of the watercraft to determine compliance with the state and federal safety requirements designated above.
4. The Marine Patrol Officer will notify the Commissioner of Marine Resources in writing of any person or persons who fail to submit for inspection under 12 M.R.S. §6133(1).

Basis Statement

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The adopted amendments in Chapter 1 update the statutory references and repeal outdated text. This rulemaking clarifies the rules for those persons who are required to display a water craft excise tax decal and the Marine Patrol officials who enforce those rules.

Summary of Comments

A public hearing was held in West Boothbay Harbor on November 17, 2009. No persons from the public attending another hearing held this evening offered any comments.

Hearing Attendees – West Boothbay Harbor:

David E. Myslabodski, Great SeaVegetables Consulting, Rockland
Susan Domizi, Source Maine, Brunswick
Gavin A. Hood, Source Maine, Brunswick
George Seaver, Ocean Organics, Waldoboro
Robert Morse, President - Atlantic Laboratories, Inc., Waldoboro
DMR: David Etnier, Lt. Cornish, Pete Thayer, L. Churchill