

Chapter 657

(House Bill 269)

AN ACT concerning

Natural Resources – Boating – Disclosure of Personal Information

FOR the purpose of repealing a requirement that an owner of a certain vessel submit a written request to the Department of Natural Resources to prohibit the Department from disclosing certain information to any person; narrowing the prohibition against and exception for the disclosure of certain records held by the Department of Natural Resources by applying the prohibition and exception only to personal information about the owner of a registered vessel; clarifying the application of certain exceptions to the prohibition under certain circumstances against the Department disclosing certain personal information about an owner of a registered vessel; and generally relating to disclosure of records held by the Department of Natural Resources.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 8–704.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–616(s)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

Article – Natural Resources

8–704.1.

(a) Except as provided in subsection (b) of this section, ~~upon written request by the owner of a vessel registered under this subtitle that information about that person not be disclosed,~~ the Department may not furnish to any person the name, address, or other identifying information about the owner of the registered vessel.

(b) This section does not prevent the Department from furnishing information under this section:

- (1) To another governmental agency;
- (2) If not requested for the purpose of preparing a mailing list, to a person requesting the information in connection with the compilation of statistical data;
- (3) As to the owners of vessels registered under this subtitle, to a person whose request for the information is determined by the Department to be limited to, and necessary for, the protection of the ownership, safe operation, proper maintenance, or repair of the vessel; or
- (4) To a financial institution, as defined in § 1–101(i) of the Financial Institutions Article, or its agents, employees, or contractors, requesting information under § 10–616(s) of the State Government Article.

Article – State Government

10–616.

(s) (1) **[Except as provided in] SUBJECT TO § 8–704.1 OF THE NATURAL RESOURCES ARTICLE AND** paragraph (2) of this subsection, a custodian may not knowingly disclose a public record of the Department of Natural Resources containing personal information **ABOUT THE OWNER OF A REGISTERED VESSEL**.

(2) Notwithstanding paragraph (1) of this subsection, a custodian shall disclose personal information **ABOUT THE OWNER OF A REGISTERED VESSEL** for use in the normal course of business activity by a financial institution, as defined in § 1–101(i) of the Financial Institutions Article, its agents, employees, or contractors, but only:

(i) to verify the accuracy of personal information submitted by the individual to that financial institution; and

(ii) if the information submitted is not accurate, to obtain correct information only for the purpose of:

- 1. preventing fraud by the individual;
- 2. pursuing legal remedies against the individual; or
- 3. recovering on a debt or security interest against the individual.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

Approved by the Governor, May 22, 2012.