

**§423. Discharge of waste from watercraft**

**1. Discharge from watercraft prohibited.** A person, firm, corporation or other legal entity may not discharge, spill or permit to be discharged sewage, septic fluids, garbage or other pollutants from watercraft:

A. Into inland waters of the State; [PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF).]

B. On the ice of inland waters of the State; or [PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF).]

C. On the banks of inland waters of the State in a manner that the pollutants may fall or be washed into the waters or in a manner in which the drainage from the banks may flow into the waters. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF).]

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF).]

**2. Holding tank required.** A person, firm, corporation or other legal entity may not operate upon the inland waters of the State a watercraft that has a permanently installed sanitary waste disposal system if it does not have securely affixed to the interior discharge opening of the sanitary waste disposal system a holding tank or suitable container for holding sanitary waste material so as to prevent its discharge or drainage into the inland waters of the State.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF).]

**3. Watercraft defined.**

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (RPR); PL 2003, c. 688, Pt. B, §15 (AFF); MRSA T. 38 §423, sub-§3 (RP).]

**4. Watercraft defined.** For the purposes of this section, "watercraft" has the same meaning as provided in Title 12, section 13001, subsection 28, except that "watercraft" includes houseboats. This subsection takes effect August 31, 2004.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 688, Pt. B, §14 (NEW); PL 2003, c. 688, Pt. B, §15 (AFF).]

**5. Penalty.** Notwithstanding section 349, subsection 2, a person who is charged with a civil violation of this section is subject to a civil penalty, payable to the State, of not less than \$500 and not more than \$10,000 for each day of that violation.

[PL 2017, c. 49, §1 (NEW).]

**SECTION HISTORY**

PL 1973, c. 625, §274 (NEW). PL 1975, c. 770, §210 (AMD). PL 1977, c. 300, §24 (AMD). PL 1979, c. 444, §10 (AMD). PL 1989, c. 502, §B49 (AMD). PL 2003, c. 277, §3 (AMD). PL 2003, c. 414, §B70 (AMD). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 452, §W6 (RPR). PL 2003, c. 452, §X2 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 688, §B14 (RPR). PL 2003, c. 688, §B15 (AFF). PL 2017, c. 49, §1 (AMD).

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