

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 91]

General Provisions; Definitions

[56 Pa.B. 3515]

[Saturday, June 13, 2026]

The Fish and Boat Commission (commission) proposes to amend § 91.2 (relating to definitions). The commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code). This rulemaking proposes to define "public property" in § 91.2 to support the implementation of 30 Pa.C.S. Chapter 57 (relating to at-risk, derelict and abandoned boats) (ADV Law).

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Robert J. Schefter, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the commission's website at pa.gov/agencies/fishandboat.

C. *Statutory Authority*

This proposed amendment to § 91.2 is published under 30 Pa.C.S. Chapter 57.

D. *Purpose and Background*

The act of July 7, 2025 (P.L. 96, No. 28) added 30 Pa.C.S. Chapter 57. The term "public property" is used throughout 30 Pa.C.S. Chapter 57 as well as in corresponding regulations in Chapter 93 (relating to boat registration and numbering); however, it is not defined.

E. *Summary of Proposal*

To facilitate implementation of the ADV Law, the commission proposes to amend § 91.2 to define the term "public property" to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-373. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 91. GENERAL PROVISIONS

§ 91.2. Definitions.

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(c) The term "passenger" means any person on a boat, including persons being towed using any device.

(d) The term "public property" means lands, buildings and spaces owned or controlled by the Commonwealth, State agencies, municipalities, authorities, political subdivisions, public schools and universities.

[Pa.B. Doc. No. 26-828. Filed for public inspection June 12, 2026, 9:00 a.m.]

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