

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2065

H.P. 1467

House of Representatives, January 23, 2020

An Act To Address Decibel Level Limits for Airboats

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative McCREIGHT of Harpswell.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ALLEY of Beals, BEEBE-CENTER of Rockland, BLUME of York,
DAUGHTRY of Brunswick, HEPLER of Woolwich, MARTIN of Sinclair, NADEAU of
Winslow, Senator: VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §13068-A, sub-§10, ¶A,** as enacted by PL 2003, c. 655, Pt. B,
3 §380 and affected by §422, is amended to read:

4 A. A person may not operate a motorboat in such a manner as to exceed:

5 (1) A noise level of 90 decibels when subjected to a stationary sound level test
6 with and without cutouts engaged and as prescribed by the commissioner; or

7 (2) A noise level of 75 decibels when subjected to an operational test measured
8 with and without cutouts engaged and as prescribed by the commissioner.

9 As used in this paragraph, "motorboat" does not include an "airboat," which has the
10 same meaning as in paragraph A-1.

11 **Sec. 2. 12 MRSA §13068-A, sub-§10, ¶A-1** is enacted to read:

12 A-1. A person may not operate an airboat in such a manner as to exceed noise level
13 limits established by the commissioner by routine technical rules as described in Title
14 5, chapter 375, subchapter 2-A. For purposes of this paragraph, "airboat" means a
15 flat-bottomed watercraft propelled by an aircraft-type propeller and powered by
16 either an aircraft engine or an automotive engine.

17 **Sec. 3. Collection of information.** The Department of Inland Fisheries and
18 Wildlife and the Department of Marine Resources jointly shall solicit and collect
19 information regarding airboats, including, but not limited to, information regarding uses
20 of airboats, noise levels and complaints and suggestions for reducing complaints
21 regarding the use of airboats, from interested parties, including, but not limited to, harbor
22 masters, town clerks and residents of coastal towns and airboat users and sellers. Based
23 on the suggestions, the Commissioner of Inland Fisheries and Wildlife and the
24 Commissioner of Marine Resources may submit legislation to the First Regular Session
25 of the 130th Legislature to implement whatever suggestions the commissioners determine
26 are necessary. As used in this section, "airboat" means a flat-bottomed watercraft
27 propelled by an aircraft-type propeller and powered by either an aircraft engine or an
28 automotive engine.

29 **SUMMARY**

30 This bill exempts airboats, which are defined as flat-bottomed watercraft propelled by
31 an aircraft-type propeller and powered by either an aircraft engine or an automotive
32 engine, from the noise level limits imposed on other watercraft. Instead, this bill allows
33 the Commissioner of Inland Fisheries and Wildlife to establish noise level limits for
34 airboats by routine technical rules.

35 This bill also requires the Department of Inland Fisheries and Wildlife and the
36 Department of Marine Resources to jointly solicit and collect information regarding
37 airboats, including uses of airboats, noise levels and complaints and suggestions for
38 reducing complaints regarding the use of airboats, from interested parties, such as harbor
39 masters, town clerks and residents of coastal towns and airboat users and sellers. Based

1 on the suggestions, the Commissioner of Inland Fisheries and Wildlife and the
2 Commissioner of Marine Resources are authorized to submit legislation to the First
3 Regular Session of the 130th Legislature to implement whatever suggestions the
4 commissioners determine are necessary.