

MAINE STATE LEGISLATURE

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ONE - HUNDREDTH LEGISLATURE

Legislative Document

No. 1563

S. P. 529

In Senate, April 26, 1961

Reported by Senator Cyr of Aroostook from Committee on Inland Fisheries and Game. Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Clarify State Boating Law.

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

Sec. 1. R. S., c. 36-A, § 2, amended. The last paragraph of section 2 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

“Waters of this State” means any inland body of water, wholly or partly within the territorial limits of this State, and all rivers and streams above tidewater, **except that for the purpose of issuing a certificate of number as hereinafter provided “waters of this State” shall mean any body of water, wholly or partly within the territorial limits of this State.**’

Sec. 2. R. S., c. 36-A, § 4, sub-§ I, amended. The 2nd sentence of subsection I of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959 and repealed and replaced by section 3 of chapter 374 of the public laws of 1959, is amended to read as follows:

‘The application shall be signed by the owner of the motorboat and shall be accompanied by a fee of ~~2~~ \$5.’

Sec. 3. R. S., c. 36-A, § 4, sub-§ IV, amended. The first sentence of subsection IV of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959 and amended by section 4 of chapter 374 of the public laws of 1959, is further amended to read as follows:

‘Whoever transfers the ownership or discontinues the use of a numbered motorboat or vessel and applies to the commissioner for numbering of another motor-

boat or vessel within the license period shall be entitled to a certificate of number ~~permitting the use of the number assigned to the former motor boat or vessel~~ upon payment of a transfer fee of \$1.'

Sec. 4. R. S., c. 36-A, § 4, sub-§ VII, amended. Subsection VII of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

'VII. Expiration. Every certificate of number **previously issued** shall expire on midnight of **December 31, 1962, and thereafter on December 31st** of the 3rd year of the 3-year period for which it was issued;'

Sec. 5. R. S., c. 36-A, § 4, sub-§ X, amended. The last sentence of subsection X of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is repealed as follows:

~~'The commissioner of Inland Fisheries and Game shall furnish the applicant with 4 sets of identification plates at \$2 per set.'~~

Sec. 6. R. S., c. 36-A, § 6, sub-§ VII, repealed. Subsection VII of section 6 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is repealed.

Sec. 7. R. S., c. 36-A, § 7, repealed and replaced. Section 7 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is repealed and the following enacted in place thereof:

'Sec. 7. Boats for hire. The owner of every boat or canoe maintained for hire upon any inland body of water to which the public has access including boats propelled by outboard motor but excluding boats under the jurisdiction of the Public Utilities Commission as set forth in chapter 49, before renting or offering for hire such boat or canoe shall apply and obtain from the commissioner a certificate authorizing its use for such purpose.

Every operator of a boat or canoe propelled by outboard motor and carrying passengers for hire shall be examined by the commissioner, through the warden service as to his qualifications, and if satisfied therewith, the commissioner shall grant him a license for such operation, which license shall expire on the last day of the calendar year in which it is issued unless sooner revoked by the commissioner for intemperance, incompetency or willful violation of duty. The commissioner may grant a renewal of such license upon written application and without further examination. Said license shall be in the possession of the operator at all times when he is carrying passengers for hire in such boat or canoe.

Any boat or canoe kept for use or rental in connection with any camp, cottage or real estate shall be considered as kept for hire.'

Sec. 8. R. S., c. 36-A, § 8, sub-§ II, amended. Subsection II of section 8 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

‘II. Intoxication or influence of drugs. No person shall operate a motorboat or vessel or manipulate any water skis, surfboard or similar device while ~~intoxicated or~~ under the influence of **intoxicating liquor**, any narcotic drug, barbiturate or marijuana;’

Sec. 9. R. S., c. 36-A, § 10, sub-§ II, amended. Subsection II of section 10 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

‘II. Reports. In the case of collision, accident or other casualty involving a vessel **numbered under this chapter**, the operator thereof, if the collision, accident or other casualty results in death or injury to a person or damage to property in excess of \$100, shall file with the commissioner ~~of Inland Fisheries and Game~~ a full description of the collision, accident or other casualty, including such information as the commissioner ~~of Inland Fisheries and Game~~ may, by regulation, require. Such report shall not be referred to in any way and shall not be evidence in any judicial proceeding.’

Sec. 10. R. S., c. 36-A, § 15, amended. Section 15 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended by adding a new paragraph to read as follows:

‘The commissioner may establish safety zones for the purpose of limiting use and boat speeds and make reasonable rules and regulations necessary for the proper administration of this chapter.’

Sec. 71. R. S., c. 37, § 66, repealed. Section 66 of chapter 37 of the Revised Statutes, as revised, is repealed.

Sec. 72. Effective date. This act shall become effective January 1, 1963.