

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

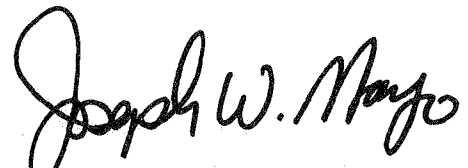
No. 1284

H.P. 937

House of Representatives, February 27, 1997

An Act to Preserve Inland and Coastal Waters and Beaches.

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


JOSEPH W. MAYO, Clerk

Presented by Representative PENDLETON of Scarborough.

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

Sec. 1. 12 MRSA §7001-A is enacted to read:

§7001-A. Protections for inland and coastal waters and beaches

Notwithstanding any other provision of this Title:

1. Motorboat. A person may not store or launch a motorboat on or from a sandy coastal beach, except watercraft used by public safety personnel or in search and rescue operations. A person who violates the provisions of this subsection commits a civil violation punishable by a fine of \$200 per violation.

2. Vessel speed limitations. A person may not operate any vessel at a speed greater than 5 miles per hour within one mile of any sandy beach or more than 30 miles per hour within any channel adjacent to a sandy beach. A person may not operate a personal watercraft at more than idle speed within 3/4 of a mile from the shore of a coastal bay or sandy coastal beach or within 1,000 feet from the coastline. A person may operate a personal watercraft at no more 25 miles per hour and with no sudden turns in front of a residence on the coast. A person who violates the provisions of this subsection commits a civil violation punishable by a fine of between \$75 and \$200 per violation.

3. Prohibited use of personal watercraft. A person may not engage in wake jumping while operating a personal watercraft and may not operate a personal watercraft within 1/4 mile of any home or, on coastal waters, within one mile of any other vessel. A person who violates the provisions of this subsection commits a civil violation punishable by a fine of between \$75 and \$200 per violation.

4. Prohibited vessels. Any vessel built prior to 1994 that is not equipped with the most recent noise reduction technology is prohibited from operating on any inland or coastal waters of the State. A person who violates the provisions of this subsection commits a civil violation punishable by a fine of \$300 per violation.

5. Municipal powers. A municipality may adopt ordinances regulating or prohibiting the rental of sport boats and may, by referendum, adopt or strengthen existing ordinances regulating noise.

6. Noise. The following provisions apply to noise:

A. A person may not tamper with or modify the exhaust or muffler system of any vessel in a manner that increases the

2 noise from that vessel. A person who violates the
3 provisions of this subsection commits a civil violation
4 punishable by a fine of \$50 per violation.

6 7. Training. Prior to January 1, 1998, the Department of
7 Education must adopt rules establishing a personal watercraft
8 operator training course. The course must include at least 20
9 hours of instruction. A person born after July 1, 1972 must
10 successfully complete that course before being eligible to
11 operate a personal watercraft in the State and must carry on
12 their person a certificate of completion while operating a
13 personal watercraft. A person who violates the provisions of
14 this subsection commits a civil violation punishable by a fine of
15 \$50 per violation.

16 8. Personal watercraft operator license. A person may not
17 operate a personal watercraft unless that person has completed
18 the training under subsection 8 and possesses a license to
19 operate a personal watercraft issued by the commissioner. A
20 person who violates the provisions of this subsection commits a
21 civil violation punishable by a fine of \$50 per violation.

22 The court shall add an additional \$50 for a 2nd offense of
23 any violation of this section and shall revoke the license to
24 operate a personal watercraft of any person convicted of a 3rd
25 offense under this section involving a personal watercraft.

28 **Sec. 2. 12 MRSA §7801, sub-§12-A is enacted to read:**

30 12-A. Operating a personal watercraft in swimming areas. A
31 person is guilty of operating a personal watercraft in a swimming
32 area if that person operates a personal watercraft within any
33 area marked or buoyed for swimming.

34 **Sec. 3. 12 MRSA §7801, sub-§30, ¶¶B and C, as enacted by PL**
35 **1989, c. 469, §4, are amended to read:**

38 B. Operates the personal watercraft during the hours
39 between sunset and sunrise; or

40 C. Operates a personal watercraft before attaining the age
41 of 12 years; or

44 **Sec. 4. 12 MRSA §7801, sub-§30, ¶D is enacted to read:**

46 D. Launches a personal watercraft from a public beach. A
47 person who violates the provisions of this paragraph commits
48 a civil violation punishable by a fine of \$200 per violation.

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SUMMARY

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This bill prohibits the operation of a personal watercraft within an area marked or buoyed for swimming and prohibits the launching of a personal watercraft from a public beach. The bill also establishes regulations governing the use and operation of certain vessels in or near areas along the coast.