

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

DATE: April 1, 1998

(Filing No. S- 691 )

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND SPECIAL SESSION

SENATE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to S.P. 573, L.D. 1730, Bill, "An Act to Implement the Recommendations of the Great Pond Task Force"

Amend the amendment by striking out all of sections 8 to 10 and inserting in their place the following:

'Sec. 8. 12 MRSA §7825-B is enacted to read:

§7825-B. Personal watercraft rental agent certificate

1. Registration and issuance. Except as provided in this section, a person or business may not rent or lease a personal watercraft after January 1, 1999 unless that person or business:

A. Registers with the department as a personal watercraft rental agent and is issued a personal watercraft rental and leasing agent certificate from the commissioner;

B. Registers each personal watercraft being offered for rent or lease in the name of the person or business holding that certificate; and

C. Provides each person who rents or leases a personal watercraft with written instructions on how to operate the personal watercraft.

2. Fee. The fee for a personal watercraft rental and leasing agent certificate is \$25. The certificate is valid from July 1st to June 30th.

3. Revocation of certificate. The commissioner may revoke  
a personal watercraft rental and leasing agent certificate if the  
commissioner determines that the certificate holder:

A. Rented or leased a personal watercraft that was unsafe;  
or

B. Failed to instruct a person intending to rent or lease a  
personal watercraft on personal watercraft safety. The  
department shall provide each certificate holder with  
written materials and instructional guidelines on personal  
watercraft safety that the certificate holder shall review  
with each personal watercraft renter or lessor before that  
person operates that personal watercraft.

4. Exception. This section does not apply to:

A. Campgrounds licensed by the Department of Human Services  
that offer the personal watercrafts owned by that campground  
exclusively for use by campground clientele;

B. Commercial sporting camps. For the purposes of this  
section, "commercial sporting camp" means a business  
consisting of primitive lodging facilities that offers the  
public the opportunity to pursue primitive hunting, fishing,  
boating or snowmobiling activities;

C. A person lawfully engaged in guiding activities under  
section 7311 who accompanies others on guided trips that  
include the use of personal watercrafts; or

D. A property owner who offers a person renting or leasing  
that property the use of a personal watercraft registered to  
the property owner.

Sec. 9. 12 MRSA §7827, sub-§26 is enacted to read:

26. Unlawfully renting or leasing a personal watercraft. A  
person is guilty of unlawfully renting or leasing a personal  
watercraft if that person rents or leases a personal watercraft  
in violation of section 7825-B.

Sec. 10. 12 MRSA §7901, sub-§17 is enacted to read:

17. Unlawfully renting or leasing a personal watercraft. A  
violation of section 7827, subsection 26 is a civil violation for  
which a forfeiture of not less than \$200 must be adjudged. The  
\$200 minimum fine may not be waived by the court.'

**FISCAL NOTE**

2

4

6

8

The Department of Inland Fisheries and Wildlife will incur some minor additional costs to administer registration and certification of personal watercraft rental agents. These costs will be offset by minor increases in revenue from fees for personal watercraft rental agent certificates.

10

**SUMMARY**

12

14

16

18

Committee Amendment "A" requires that motorboat rental and leasing agents obtain a certificate from the Department of Inland Fisheries and Wildlife. This amendment requires that personal watercraft rental and leasing agents obtain such a certificate and exempts property owners who offer renters the use of their registered personal watercraft from obtaining such a certificate.

20

22

SPONSORED BY:

(Senator KILKELLY)

24

COUNTY: Lincoln

26