

MAINE STATE LEGISLATURE

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RUB.

L.D. 1730

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "B" 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 1 to 3 and inserting in their place the following:

Sec. 1. 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, after January 1, 1999, a person or business may not rent or lease a personal watercraft 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 January 1st to December 31st.

HOUSE AMENDMENT

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

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

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

16 4. Exception. This section does not apply to:

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

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

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

32 Sec. 2. 12 MRSA §7827, sub-§26 is enacted to read:

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

38 Sec. 3. 12 MRSA §7901, sub-§17 is enacted to read:

40 17. Unlawfully renting or leasing a personal watercraft. A
41 violation of section 7827, subsection 26 is a civil violation for
42 which a forfeiture of not less than \$200 must be adjudged. The
43 \$200 minimum fine may not be waived by the court.'
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FISCAL NOTE

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.

SUMMARY

Committee Amendment "B" requires that motorboat rental and leasing agents obtain a certificate from the Department of Inland Fisheries and Wildlife. This amendment instead requires that personal watercraft rental and leasing agents obtain such a certificate.

SPONSORED BY: 
(Representative CLARK)

TOWN: Millinocket