

MAINE STATE LEGISLATURE

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L.D. 1730

DATE: March 25, 1998

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" 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.

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3. Revocation of certificate. The commissioner may revoke a personal watercraft rental and leasing 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; or

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

Sec. 2. 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. 3. 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.'

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FISCAL NOTE

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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.

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SUMMARY

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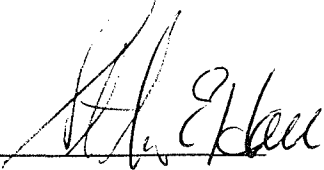
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Committee Amendment "B" requires that motorboat rental and leasing agents obtain a certificate from the Department of Inland Fisheries and Wildlife. This amendment instead requires that personal watercraft rental and leasing agents obtain such a certificate.

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SPONSORED BY: 
(Senator HALL)

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COUNTY: Piscataquis

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