

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1280

S.P. 411

In Senate, March 11, 2003

An Act To Improve Boating in Maine

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative: CRESSEY of Baldwin.

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

4 **Sec. 1. 12 MRSA §7801, sub-§33**, as amended by PL 1999, c. 436,
§1, is further amended to read:

6 **33. Operating airmobile or motorboat that exceeds noise**
7 **limits.** A person ~~is guilty of operating a watercraft that~~
8 ~~exceeds the noise limit if that person operates~~ may not operate
9 an airmobile or motorboat in such a manner as to exceed:

10 A. A noise level of 90 decibels when subjected to a
11 stationary sound level test with and without cutouts engaged
12 and as prescribed by the commissioner; or

13 B. A noise level of 75 decibels when subjected to an
14 operational test measured with and without cutouts engaged
15 and as prescribed by the commissioner.

16 A person who violates this subsection commits a civil violation
17 for which a fine of not less than \$300 nor more than \$500 may be
18 adjudged.

19 This subsection does not apply to motorboats that are operating
20 in a regatta or race approved by the commissioner under section
21 7797.

22 **Sec. 2. 12 MRSA §7901-A, sub-§12, ¶A**, as amended by PL 2001,
23 c. 667, Pt. A, §30, is further amended by repealing subparagraph
24 (30).

25 **Sec. 3. 38 MRSA §423, first ¶**, as amended by PL 1989, c. 502,
26 Pt. B, §49, is further amended to read:

27 No person, firm, corporation or other legal entity may
28 discharge, spill or permit to be discharged sewage, septic
29 fluids, garbage or other pollutants from watercraft, as defined
30 in Title 12, section 7791, subsection 14, and including
31 houseboats, into inland waters of this State, or on the ice
32 thereof, or on the banks thereof in such a manner that the same
33 may fall or be washed into such waters, or in such manner that
34 the drainage therefrom may flow into such waters.

44 SUMMARY

45 This bill requires airmobiles and motorboats to pass noise
46 limit tests with cutouts engaged and disengaged and sets a
47 minimum of a \$300 fine for exceeding noise limits. The bill also
48

2 prohibits the discharge of septic fluids into the inland waters
of the State.

4 This bill exempts those vessels from the noise limits while
the vessels are engaged in an organized racing event that is
6 sanctioned by a recognized racing organization and registered
with the Commissioner of Inland Fisheries and Wildlife.