

# MAINE STATE LEGISLATURE

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RS

L.D. 307

DATE: 3/17/06

(Filing No. H-850)

INLAND FISHERIES AND WILDLIFE

Report A

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 231, L.D. 307, Bill, "An Act To Improve Recreational Watercraft Safety"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 12 MRSA §13071-A, sub-§5 is enacted to read:

5. Operating personal watercraft while 16 years of age or older and under 18 years of age; boater education. The following provisions apply to operating a personal watercraft by a person 16 years of age or older and under 18 years of age.

A. A person 16 years of age or older and under 18 years of age may not operate a personal watercraft unless:

(1) That person is accompanied by a person 18 years of age or older who physically occupies the personal watercraft; or

(2) While operating the personal watercraft, that person possesses on that person identification showing proof of age and proof of successful completion of a boater safety education course approved by a national association of state boating law administrators, including but not limited to courses offered by the U.S. Coast Guard Auxiliary or other organizations approved by the commissioner for providing boater safety education courses. The commissioner shall

2 establish a list of approved organizations for  
3 providing boater safety education courses and make that  
4 list readily available to the public.

5 B. The following penalties apply to violations of this  
6 subsection.

7 (1) A person who violates this subsection commits a  
8 civil violation for which a fine of not less than \$100  
9 and not more than \$500 may be adjudged.

10 (2) A person who violates this subsection after having  
11 been adjudicated as having committed 3 or more civil  
12 violations under this Part within the previous 5-year  
13 period commits a Class E crime.

14 **Sec. 2. Safety education program.** The Commissioner of Inland  
15 Fisheries and Wildlife and the Commissioner of Marine Resources  
16 shall work together and with other interested parties to study  
17 the feasibility of developing, implementing and funding a  
18 statewide boater safety education program. The Commissioner of  
19 Inland Fisheries and Wildlife and the Commissioner of Marine  
20 Resources shall report to the joint standing committee of the  
21 Legislature having jurisdiction over inland fisheries and  
22 wildlife matters and the joint standing committee of the  
23 Legislature having jurisdiction over marine resources matters,  
24 respectively, by February 1, 2007, their findings and  
25 recommendations on the development and implementation of a boater  
26 education safety program.

27 **Sec. 3. Effective date.** Section 1 takes effect January 1, 2007.'

## 34 SUMMARY

35 This amendment is the majority report and prohibits a person  
36 16 years of age or older and under 18 years of age from operating  
37 a personal watercraft unless that person has a person 18 years of  
38 age or older physically on the watercraft during operation or  
39 that person possesses on that person proof of age and proof of  
40 having completed a boater safety course. This requirement takes  
41 effect January 1, 2007.

42 The amendment also directs the Commissioner of Inland  
43 Fisheries and Wildlife and the Commissioner of Marine Resources  
44 to work together and with interested parties to study the  
45 feasibility of developing a statewide boater safety education  
46 program. The commissioners are required to report their  
47

COMMITTEE AMENDMENT "A" to H.P. 231, L.D. 307

2 findings and recommendations to the joint standing committee of  
the Legislature having jurisdiction over inland fisheries and  
4 wildlife matters and the joint standing committee of the  
Legislature having jurisdiction over marine resources matters by  
6 February 1, 2007.

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**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 307

LR0217(02)

## An Act To Improve Recreational Watercraft Safety

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Majority Report

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### Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

#### Correctional and Judicial Impact Statements:

Establishes a new civil violation and a Class E crime.

The collection of additional fines may increase General Fund revenue by minor amounts.