

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2045

H.P. 1429

House of Representatives, December 21, 2007

**An Act To Enact Guidelines for the Operation of Motorboats by
Minors**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2007. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SYKES of Harrison.
Cosponsored by Representative: GERZOFKY of Brunswick.

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

2 **Sec. 1. 12 MRSA §13071-B** is enacted to read:

3 **§13071-B. Operating motorboats**

4 **1. Operating motorboat while underage.** A person under 16 years of age may not
5 operate a motorboat.

6 A. A person who violates this subsection commits a civil violation for which a fine
7 of not less than \$100 nor more than \$500 may be adjudged.

8 B. A person who violates this subsection after having been adjudicated as having
9 committed 3 or more civil violations under this Part within the previous 5-year period
10 commits a Class E crime.

11 **2. Additional safety requirements while operating motorboat.** This subsection
12 applies to the operation of or being a passenger on a motorboat.

13 A. A person may not:

14 (1) Operate or be a passenger on a motorboat unless the person is wearing a
15 United States Coast Guard approved Type I, Type II or Type III personal
16 flotation device; or

17 (2) Operate a motorboat during the hours between sunset and sunrise.

18 B. The following penalties apply to violations of this subsection.

19 (1) A person who violates this subsection commits a civil violation for which a
20 fine of not less than \$100 nor more than \$500 may be adjudged.

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

24 **3. Operating motorboat while 16 years of age or older and under 18 years of**
25 **age; boater education.** This subsection applies to the operation of a motorboat by a
26 person 16 years of age or older and under 18 years of age.

27 A. A person 16 years of age or older and under 18 years of age may not operate a
28 motorboat unless:

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

31 (2) While operating the motorboat, that person possesses on that person
32 identification showing proof of age and proof of successful completion of a
33 boater safety education course approved by a national association of state boating
34 law administrators, including but not limited to courses offered by the United
35 States Coast Guard Auxiliary or other organizations approved by the
36 commissioner for providing boater safety education courses. The commissioner
37 shall establish a list of approved organizations for providing boater safety
38 education courses and make that list readily available to the public.

