

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1375

H.P. 1014

House of Representatives, March 31, 2011

### **An Act To Require a Boating Safety Course for New Boat Registrants**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative MacDONALD of Boothbay.  
Cosponsored by Representative: TREAT of Hallowell.

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

2 **Sec. 1. 12 MRSA §13056, sub-§1-C** is enacted to read:

3 **1-C. Operating with temporary boating safety certificate.** The commissioner  
4 may issue a temporary boating safety certificate registration with the issuance of the  
5 identification number and validation stickers.

6 **Sec. 2. 12 MRSA §13074** is enacted to read:

7 **§13074. Motorboat safety**

8 **1. Requirements.** Unless otherwise provided by personal watercraft safety  
9 requirements pursuant to section 13071-A, a person who cannot show proof of  
10 registration of a motorboat in the last 3 years from this State or a jurisdiction outside of  
11 the State may not operate a noncommercial motorboat on any waters of the State unless  
12 the person:

13 A. Completes and passes a boating safety course approved by a national association  
14 of state boating law administrators or any other course with equivalent standards  
15 approved by the commissioner;

16 B. Possesses a valid license to operate a vessel issued for maritime personnel by the  
17 United States Coast Guard pursuant to 46 Code of Federal Regulations, Part 10 or a  
18 marine certificate issued by the Canadian government;

19 C. Is operating a motorboat under a supervised program or activity or is being  
20 trained by a person qualified under paragraph A or B;

21 D. Possesses a state-approved nonrenewable temporary boating safety certificate  
22 issued by the commissioner pursuant to section 13056, subsection 1-C to operate the  
23 motorboat that is valid for 90 days with the certificate of number for the motorboat if  
24 the motorboat is new or was sold with a transfer of ownership;

25 E. Is operating a motorboat while in possession of a rental or lease agreement from a  
26 motorboat rental or leasing business that lists the person as the authorized operator of  
27 that motorboat for a period of not more than 60 days; or

28 F. Has assumed operation of the motorboat due to the illness or physical impairment  
29 of the initial operator and is returning the vessel to shore.

30 **2. Proof of compliance; rules.** A person who operates a noncommercial motorboat  
31 on any waters in the State must present evidence, at the request of any law enforcement  
32 officer, that the person has complied with this section. A licensed Maine guide may  
33 request proof of compliance with this section from that guide's clients or customers. The  
34 department shall adopt rules to implement this subsection, including rules to determine  
35 what constitutes adequate proof. Rules adopted pursuant to this subsection are routine  
36 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

37 **3. Violation.** A person who violates this section commits a civil violation for which  
38 no more than \$100 may be adjudged.

