

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2284

H.P. 1472

House of Representatives, April 1, 2024

**An Act to Implement Recommendations in the Department of
Inland Fisheries and Wildlife's Report on Wake Boats**

Reported by Representative LANDRY of Farmington for the Joint Standing Committee on
Inland Fisheries and Wildlife pursuant to Resolve 2023, chapter 33, section 3.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 12 MRSA §13001, sub-§27-A** is enacted to read:

3 **27-A. Wakesurfing activity.** "Wakesurfing activity" means an activity that involves
4 using a surfboard, wakeboard or similar device while being propelled by a motorboat's
5 wake or while on or in a motorboat's wake directly behind that motorboat.

6 **Sec. 2. 12 MRSA §13056, sub-§14** is enacted to read:

7 **14. Dissemination of educational materials required; watercraft dealers.** A
8 watercraft dealer who sells a motorboat in the State shall provide the purchaser of that
9 motorboat with information related to the boater safety and education courses offered by
10 the department as well as information related to those operators who are required to
11 complete those courses.

12 **Sec. 3. 12 MRSA §13068-A, sub-§18** is enacted to read:

13 **18. Operating motorboat for wakesurfing activity; minimum depth and distance**
14 **from shore requirement.** A person may not operate a motorboat engaged in a wakesurfing
15 activity in less than 15 feet of water or within 300 feet of the shoreline.

16 A. A person who violates this subsection commits a civil violation for which a fine
17 not to exceed \$100 may be adjudged.

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

21 **Sec. 4. Outreach program; report.** The Department of Inland Fisheries and
22 Wildlife shall:

23 1. Develop an outreach program to provide boater safety and education to persons
24 engaged in wakesurfing activities in the State; and

25 2. Submit a report focused on wake boats and wakesurfing activities in the State to the
26 joint standing committee of the Legislature having jurisdiction over inland fisheries and
27 wildlife matters no later than February 1, 2027. The report must include information on
28 the outreach program developed pursuant to subsection 1. The report must also include
29 detailed information on enforcement mechanisms and the level of enforcement undertaken,
30 as measured by statistics when data are available, including the number of reported
31 incidents, the number of complaints and the number of boats checked. The report may
32 include information on enforcement challenges, the department's view on the appropriate
33 water depth and distance from the shoreline for users engaged in a wakesurfing activity and
34 any recommendations for statutory changes related to these issues. The committee is
35 authorized to report out a bill based on the report to the 133rd Legislature in 2027.

36 For the purposes of this section, "wakesurfing activity" has the same meaning as in the
37 Maine Revised Statutes, Title 12, section 13001, subsection 27-A.

38 **SUMMARY**

39 This bill is submitted by the Joint Standing Committee on Inland Fisheries and Wildlife
40 pursuant to Resolve 2023, chapter 33 and does the following.

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1. It defines "wakesurfing activity."
2. It requires that information related to boater safety and education courses be provided at the time of purchase of a motorboat from a dealer in the State.
3. It prohibits a person from operating a motorboat in less than 15 feet of water or within 300 feet of the shoreline when the motorboat is engaged in a wakesurfing activity.
4. It directs the Department of Inland Fisheries and Wildlife to develop an outreach program to provide boater safety and education to persons engaged in wakesurfing activities and to submit a report focused on wake boats and wakesurfing activities in the State to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than February 1, 2027. The committee is authorized to report out a bill based on this report to the 133rd Legislature in 2027.

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 2284

LR 3052(01)

An Act to Implement Recommendations in the Department of Inland Fisheries and Wildlife's Report on Wake Boats

Fiscal Note for Original Bill
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.

Fiscal Detail and Notes

Any additional costs to the Department of Inland Fisheries and Wildlife to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.