

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 804

S. P. 296

In Senate, February 17, 1955

Referred to the Committee on Inland Fisheries and Game, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Martin of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Regulation of Boats and Canoes by Department of Inland Fisheries and Game.

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

Sec. 1. R. S., c. 37, § 66, repealed and replaced. Section 66 of chapter 37 of the revised statutes is hereby repealed and the following enacted in place thereof :

‘**Sec. 66. Boats and canoes inspected and registered; operators licensed; accidents investigated; penalties; jurisdiction.** The owner of every boat or canoe maintained for hire upon any inland body of water to which the public has access, including duck skiffs and boats propelled by outboard motor but excluding boats under the jurisdiction of the Public Utilities Commission as set forth in chapter 49, before renting or offering for hire such boat or canoe shall apply and obtain from the Commissioner a certificate authorizing its use for such purpose. No certificate shall be issued until the Commissioner, through the warden service, shall have inspected such boat or canoe and found it to be properly painted, repaired and fitted with oars or paddles, as the case may be. Any certificate granted shall terminate on the last day of the calendar year in which it is issued. The Commissioner, through the warden service, shall fix the number of persons who may be lawfully transported in each such boat or canoe at any one time. The owner of such boat or canoe shall cause the registration number and figures indicating the capacity established to be displayed upon each side of the bow, in numerals painted or attached thereto of suitable size and color and so placed as to be always plainly visible.

Every operator of a boat or canoe propelled by outboard motor and carrying passengers for hire shall be examined by the Commissioner, through the war-

den service as to his qualifications, and if satisfied therewith, the Commissioner shall grant him a license for such operation, which license shall expire on the last day of the calendar year in which it is issued unless sooner revoked by the Commissioner for intemperance, incompetency or wilful violation of duty. The Commissioner may grant a renewal of such license upon written application and without further examination. Said license shall be in the possession of the operator at all times when he is carrying passengers for hire in such boat or canoe.

Any boat or canoe kept for use or rental in connection with any camp, cottage or real estate shall be considered as kept for hire provided, however, that any boat or canoe kept for use in connection with any boys' or girls' camp licensed by the Department of Health and Welfare, and any owner or operator thereof, shall be exempted from the provisions of this section unless such boat or canoe is rented or offered for hire to the general public.

The Commissioner is hereby empowered to make any rules and regulations necessary for the proper administration of this section, including lighting of boats and canoes used in the nighttime, examination for operator's license, requirements for registration of boats or canoes, and shall set reasonable fees for such registration.

In case of damage to any boat or canoe subject to the provisions of this section by collision, fire or explosion, the Commissioner shall forthwith, and in other cases in his discretion the Commissioner may, through the warden service, investigate the cause thereof, and if found to have been occasioned by a violation of any of the aforesaid provisions or of the orders, regulations and requirements of said Commissioner, he shall so certify to the Attorney General and to the county attorney in the county where the offense was committed, together with the names of the parties and witnesses, and prosecution shall be instituted forthwith against all parties liable.

Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment. Trial justices shall have jurisdiction concurrent with municipal courts and the Superior Court of all complaints and prosecutions under the preceding sections.'

Sec. 2. Effective date. This act shall take effect on January 1, 1956.