



General Assembly

Amendment

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LCO No. 6193

SB0115006193SD0

Offered by:

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SEN. CIOTTO, 9th Dist.

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To: Subst. Senate Bill No. 1150

File No. 312

Cal. No. 272

**"AN ACT CONCERNING THE USE OF VESSELS REGISTERED
WITH A MARINE DEALER'S REGISTRATION NUMBER."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 15-129 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The provisions of this section shall apply to vessels operated on
6 state and federal waters. (1) Every vessel shall carry for each person on
7 board, so placed as to be readily accessible, at least one buoyant
8 personal flotation device. The operator or owner of any vessel being
9 used for recreational purposes, other than a vessel required to have a
10 certificate of inspection issued by the Coast Guard, shall require any
11 child under twelve years of age who is aboard such vessel to wear a
12 personal flotation device while such vessel is underway unless the

13 child is below deck or in an enclosed cabin. Sailboards shall be exempt
14 from carrying a personal flotation device if the mast of the sailboard is
15 secured to the hull by a leash or safety line. (2) Every motorboat with
16 enclosed fuel storage space or an enclosed engine compartment shall
17 be equipped with devices for ventilating flammable or explosive gases.
18 (3) Every motorboat with a carbureted inboard engine shall have the
19 carburetor of such engine equipped with a flame arrestor or backfire
20 trap unless such engine is mounted in the aftermost part of the vessel
21 with no provisions for carrying passengers behind the forward edge of
22 the engine and the carburetor of such engine has its intake opening
23 above the gunwale line of the vessel in the open atmosphere and
24 mounted so backfire flames are directed to the rear or vertically away
25 from the vessel and its occupants. (4) Every motorboat shall have its
26 engine equipped with an effective [muffling device] muffler or muffler
27 system. (5) All inboard motorboats, all outboard motorboats twenty-
28 six feet or over in length, and all outboard motorboats less than
29 twenty-six feet in length which have a compartment in which gases
30 may accumulate, shall be equipped with a fire extinguisher. (6) Every
31 motorboat sixteen feet or more in length shall be equipped with a
32 whistle or horn-type sound-producing device capable of producing a
33 blast of two seconds or more in duration. On motorboats sixteen feet or
34 more but less than twenty-six feet in length such device shall be
35 mouth, hand or power-operated and audible for at least one-half mile.
36 On motorboats twenty-six feet or more but less than forty feet in length
37 such device shall be hand or power-operated and audible for at least
38 one mile. On motorboats forty feet or more but less than sixty-five feet
39 in length such device shall be power-operated and audible for at least
40 one mile. Every motorboat twenty-six feet or more in length shall be
41 equipped with a bell capable of producing a clear bell-like tone of full
42 round characteristics. (7) Every vessel operated on the waters of Long
43 Island Sound or Fishers Island Sound between sunset and sunrise shall
44 carry visual distress signals suitable for night use. Every vessel sixteen
45 feet or more in length, except manually propelled vessels and open
46 sailboats that are less than twenty-six feet in length, and are not
47 equipped with propulsion machinery, operated on the waters of Long

48 Island Sound or Fishers Island Sound at any time shall carry visual
49 distress signals suitable for day and night use. No person, operator or
50 owner in a vessel shall display or allow the display of a visual distress
51 signal except when assistance is needed because of immediate or
52 potential danger to persons aboard.

53 (b) No person shall operate or give permission for the operation of
54 any motorboat on the waters of this state unless such motorboat is at
55 all times equipped with a muffler or muffler system which enables
56 such motorboat to be operated in compliance with subsections (c) and
57 (d) of this section and such muffler or muffler system is in use. For
58 purposes of this section "muffler" or "muffler system" means a sound
59 suppression device or system designed and installed to abate the
60 sound of exhaust gases emitted from an internal combustion engine
61 and causes such engine to operate in compliance with subsections (c)
62 and (d) of this section. "Muffler system" includes, but is not limited to,
63 an underwater through-the-propeller-hub exhaust outlet system.

64 (c) No person shall operate or give permission for the operation of
65 any motorboat on the waters of this state in such a manner as to exceed
66 the following noise levels: (1) For engines manufactured before
67 January 1, 1993, a noise level of 90 dB(A) when subjected to a
68 stationary sound level test as prescribed by Society of Automotive
69 Engineers Specification Number J2005; (2) for engines manufactured
70 on or after January 1, 1993, a noise level of 88 dB(A) when subjected to
71 a stationary sound level test as prescribed by Society of Automotive
72 Engineers Specification Number J2005. If a motorboat is equipped with
73 more than one engine, the said noise levels shall apply when all such
74 engines are simultaneously in operation.

75 (d) No person shall operate or give permission for the operation of
76 any motorboat on the waters of this state in such a manner as to exceed
77 a noise level of 75 dB(A) measured as specified by Society of
78 Automotive Engineers Specification Number J1970.

79 (e) Any officer authorized to enforce the provisions of this chapter

80 who has reason to believe that a motorboat is being operated in excess
81 of the noise levels established in subsection (c) or (d) of this section
82 may request the operator of such motorboat to submit the motorboat
83 to an on-site test to measure noise levels, with the officer on board
84 such motorboat if such officer chooses, and the operator shall comply
85 with such request. If such motorboat exceeds the noise levels
86 established in subsection (c) or (d) of this section, the officer may direct
87 the operator to take immediate and reasonable measures to correct the
88 violation, including returning the motorboat to a mooring and keeping
89 the motorboat at such mooring until the violation is corrected or
90 ceases.

91 (f) Any officer who conducts a motorboat sound level test as
92 provided in this section shall be qualified in motorboat noise testing by
93 the Department of Environmental Protection. Such qualification shall
94 include, without limitation, instruction in selection of the measurement
95 site and in the calibration and use of noise testing equipment.

96 (g) No person shall operate or give permission for the operation of
97 any motorboat on the waters of this state that is equipped with a
98 muffler or muffler system cutout, bypass or similar device which
99 prevents the proper operation of or diminishes the operating capacity
100 of the muffler, or causes the motorboat to be operated in violation of
101 subsection (c) or (d) of this section except that the commissioner shall
102 allow the installation and operation of those muffler system cutouts,
103 bypasses or similar devices that are demonstrated to the satisfaction of
104 the commissioner to operate in accordance with the provisions of
105 subsection (c) or (d) of this section.

106 (h) No person shall remove a muffler or muffler system from a
107 motorboat or alter a muffler or muffler system on a motorboat so as to
108 prevent the operation of such motorboat in compliance with
109 subsections (c) and (d) of this section.

110 (i) No person shall sell or offer for sale any motorboat which is not
111 equipped with a muffler or muffler system which enables such

112 motorboat to be operated in compliance with subsections (c) and (d) of
113 this section. This subsection shall not apply to the sale or offer for sale
114 of a motorboat which will be operated solely for the purpose of
115 competing in marine races or regattas, provided upon the sale of a
116 motorboat which is not equipped with such a muffler or muffler
117 system, the seller shall provide to the purchaser, and the purchaser
118 shall date and sign, the following statement: "I understand that this
119 motorboat may not be operated for any purposes other than competing
120 in a marine race or regatta authorized under section 15-140b of the
121 Connecticut general statutes". Such statement shall include the hull
122 identification number of the motorboat being purchased. Not later
123 than five days after the sale, the seller shall submit to the commissioner
124 a copy of such signed and dated statement. The seller and purchaser
125 shall each retain a copy of the statement.

126 (j) The provisions of subsections (c) and (d) of this section shall not
127 apply to the operation of a motorboat participating in a marine race or
128 regatta authorized by the commissioner under section 15-140b.

129 (k) All devices and equipment required by this section shall be of a
130 type and carried in the quantity and location approved by the
131 commissioner or by the United States Coast Guard.

132 (l) Sirens shall not be used on any vessel except that law
133 enforcement vessels of the United States, this state or a political
134 subdivision of this state may use sirens when engaged in law
135 enforcement activities or when identification is necessary for safety
136 reasons. Any vessel may be equipped with a theft alarm signal device
137 if such device is so designed that it cannot be used as an ordinary
138 warning signal.

139 (m) Any person who violates any provision of subsection (a) of this
140 section shall have committed an infraction. Any person who violates
141 the provisions of any other subsection of this section or who fails to
142 comply with a request or direction of an officer made pursuant to
143 subsection (e) of this section shall be fined not less than one hundred

144 dollars nor more than five hundred dollars."