



House of Representatives

General Assembly

File No. 418

January Session, 2007

Substitute House Bill No. 6574

House of Representatives, April 10, 2007

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT EXEMPTING CERTAIN BOAT OPERATORS FROM TAKING A BOATING SAFETY COURSE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 15-140e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) On and after the following dates, no resident of the state, person
4 owning real property in the state or person owning a vessel in the state
5 shall operate on the waters of the state a vessel which is required to be
6 registered or numbered pursuant to this chapter unless such person
7 has a valid vessel operator license by the United States Coast Guard or
8 has obtained a safe boating certificate issued by the Commissioner of
9 Environmental Protection: For operators who are less than twenty
10 years of age, June 23, 1993; for operators who are less than twenty-five
11 years of age, October 1, 1993; for operators who are less than thirty
12 years of age, October 1, 1994; for operators who are less than thirty-five
13 years of age, October 1, 1995; for operators who are less than forty
14 years of age, October 1, 1996; and for all operators forty years of age or

15 older, October 1, 1997. Notwithstanding the provisions of this section,
16 the commissioner may issue a certificate to a person who has
17 successfully completed a course in safe boating operation approved by
18 the commissioner before the date such person is required to take the
19 exam under this section. A safe boating certificate may be suspended
20 or revoked, pursuant to section 15-133, 15-140l or 15-140n, and shall be
21 valid for the life of the person to whom it is issued unless otherwise
22 suspended or revoked. A person twelve years of age or older who has
23 not obtained a safe boating certificate pursuant to this subsection may
24 operate a vessel powered by a motor of ten horsepower or less on the
25 inland waters of the state if such person is under the direct onboard
26 supervision of a person eighteen years of age or older who (1) has a
27 valid vessel operator license issued by the United States Coast Guard,
28 or (2) has obtained a safe boating certificate pursuant to this
29 subsection.

30 (b) A certificate shall be issued under subsection (a) to any applicant
31 regardless of age who provides proof that he has (1) successfully
32 completed a course in safe boating operation approved by the
33 Commissioner of Environmental Protection, which may include those
34 offered by the United States Power Squadron, Coast Guard Auxiliary
35 or other organizations, (2) successfully passed an equivalency
36 examination testing knowledge of safe boating operation administered
37 by the commissioner, (3) owned a vessel which was registered or
38 numbered pursuant to this chapter in his name as an individual during
39 any period in the five years preceding October 1, 1992, or (4) been a
40 member during any period in the five years preceding October 1, 1992,
41 of the United States Power Squadron or United States Coast Guard
42 Auxiliary. On and after October 1, 1997, no certificate shall be issued
43 pursuant to subdivisions (3) and (4) of this subsection.

44 (c) Notwithstanding subsection (a) of this section, any person who
45 purchases a new or used vessel after July 11, 1991, may, upon vessel
46 registration, apply to the department for a temporary safe boating
47 certificate which shall be valid for six months from the date of
48 registration. No person shall be issued more than one temporary safe

49 boating certificate.

50 (d) Any person operating a vessel other than a personal watercraft,
51 as defined in section 15-140j, which is rented for a period of fourteen
52 days or less from a person or organization engaged in the commercial
53 rental of vessels need not obtain a certificate during the rental period.
54 Persons or organizations engaged in the commercial rental of vessels
55 shall furnish to each rental customer literature on safety and rules of
56 navigation as supplied by the commissioner.

57 (e) Any person who violates any provision of this section shall be
58 fined not less than sixty nor more than two hundred fifty dollars for
59 each such violation.

60 (f) Any course in safe boating operation approved by the
61 Commissioner of Environmental Protection, as described in subsection
62 (b) of this section, shall include instruction on the proper means of: (1)
63 Inspecting a vessel and trailers used for transporting such vessels for
64 the presence of vegetation; and (2) properly disposing of such
65 vegetation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	15-140e

ENV Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Environmental Protection	SF - Revenue Loss	See Below	See Below

Note: SF=Special Fund (Non-appropriated)

Municipal Impact: None

Explanation

Passage of this bill will result in a loss of revenue to the Department of Environmental Protection’s (DEP) Boating Fund. The bill would allow uncertified boaters age 12 or older to operate certain boats on inland waters under the supervision of qualified individuals 18 or older. There are approximately 31,000 boats registered in Connecticut that have a horsepower of greater than 1 and less than or equal to 10 horsepower. The DEP estimates that 85% of the boats in CT are used on inland waters, in this case equating to approximately 26,000 boats. Assuming two people per vessel, and one uncertified person per boat, and 25% of these individuals will never get a certificate, there could be a \$160,000 a year (\$25 per certificate) revenue loss to the fund. The exact impact is not known.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future.

OLR Bill Analysis

sHB 6574

***AN ACT EXEMPTING CERTAIN BOAT OPERATORS FROM
TAKING A BOATING SAFETY COURSE.***

SUMMARY:

This bill allows uncertified boaters age 12 or older to operate certain boats on inland waters (i.e., fresh water) under the supervision of qualified individuals age 18 or older. Specifically, it allows anyone age 12 or older who has not obtained a safe boating certificate to operate a vessel powered by 10 or less horsepower on the state's inland waters, if he or she is under the direct onboard supervision of a qualified person at least age 18. The person who is 18 years old or older must have either a valid U.S. Coast Guard vessel operator license or a safe boating certificate that the Department of Environmental (DEP) commissioner issued.

By law, to operate certain vessels on state waters, a person generally must have a valid U.S. Coast Guard vessel operator license or a DEP safe boating certificate.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/21/2007)