



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 2, 2012
Environment Committee

Testimony Submitted by Commissioner Daniel Esty
Presented by Deputy Commissioner Susan Frechette

Raised House Bill No. 5257 - AN ACT REQUIRING RENTERS OF VESSELS TO OBTAIN SAFE BOATING CERTIFICATES

Thank you for the opportunity to present testimony regarding Raised House Bill No. 5257 – An Act Requiring Renters of Vessels to Obtain Safe Boating Certificates. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

Under current rules Connecticut residents do not need a safe boating certificate as a prerequisite to renting and operating a motorboat, other than a personal watercraft, for fourteen days or less. The purpose of this proposed bill is to require Connecticut residents to obtain a safe boating certificate as a prerequisite to renting a vessel.

We do not object to the idea behind the bill, but we are concerned that implementation of the bill as written might negatively impact the vessel rental businesses by disenfranchising customers who operate under the existing rules.

We believe we can mitigate such impact somewhat by expanding the options a non-certified person has to become certified beyond classroom courses. DEEP proposes that managed non-classroom courses, such as online courses should

be approved as one way to receive boating education prerequisite to certification. This change would allow an easier pathway for an uncertified renter to receive approved safe boating education and to become certified.

Our proposed substitute language is as follows:

AN ACT REQUIRING RENTERS OF VESSELS TO OBTAIN SAFE BOATING CERTIFICATES.

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

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 Section 15-140e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No resident of the state, person owning real property in the state or person owning a vessel in the state shall operate on the waters of the state a vessel which is required to be registered or numbered pursuant to this chapter unless such person has a valid vessel operator license issued by the United States Coast Guard or has obtained a safe boating certificate issued by the Commissioner of Energy and Environmental Protection. No owner of a vessel shall knowingly authorize or permit a person who is less than sixteen years of age who is required by this section to obtain a safe boating certificate issued by the Commissioner of Energy and Environmental Protection to operate such vessel on the waters of the state without a safe boating certificate, unless such person is under the direct onboard supervision of a person who is at least eighteen years of age who has been issued a safe boating certificate and who has held such certificate for at least two years. A safe boating certificate may be suspended or revoked, pursuant to section 15-132a, 15-133, 15-140l or 15-140n, and shall be valid for the life of the person to whom it is issued unless otherwise suspended or revoked.

(b) A safe boating certificate shall be issued under subsection (a) of this section to any applicant regardless of age who provides proof that such applicant has: (1) Successfully completed [a] an online or classroom course in safe boating operation approved by the Commissioner of Energy and Environmental Protection, which [courses] may include [those] a course offered by the United States Power Squadrons, Coast Guard Auxiliary or [other organizations] another organization, or (2) successfully passed an equivalency examination testing knowledge of safe boating operation administered by the commissioner.

(c) Notwithstanding subsection (a) of this section, any person who purchases a new or used vessel may, upon vessel registration, apply to the Department of Energy and Environmental Protection for a temporary safe boating certificate which shall be valid

for three months from the date of registration. No person shall be issued more than one temporary safe boating certificate.

(d) [Any] The provisions of subsection (a) of this section shall apply to any person operating a vessel other than a personal watercraft, as defined in section 15-140j, which is rented [for a period of fourteen days or less] from a boat livery. [need not obtain a certificate during the rental period.] An owner, agent or employee of a boat livery shall furnish to each rental customer literature on safety and rules of navigation as supplied by the commissioner.

(e) Any person enrolled in a course in safe boating operation approved by the Commissioner of Energy and Environmental Protection may operate a vessel without a safe boating certificate when under the direct onboard supervision of a boating instructor holding a valid instructor number issued by the Department of Energy and Environmental Protection.

(f) Any person who violates any provision of this section shall be fined not less than sixty or more than two hundred fifty dollars for each such violation.

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

Sec. 2. Subsection (c) of section 15-140j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) A certificate of personal watercraft operation shall be issued under subsection (b) of this section to any applicant who provides proof that such applicant has: (1) Successfully completed a combined online or classroom course in safe boating operation and safe personal watercraft handling approved by the commissioner, which courses include, but are not limited to, courses offered by the United States Power Squadrons, Coast Guard Auxiliary or other similar organization, (2) been issued or has satisfied the requirements for issuance of a safe boating certificate and successfully completed a course in safe personal watercraft handling approved by the commissioner, which include, but are not limited to, courses offered by the United States Power Squadrons, Coast Guard Auxiliary or other similar organization, or (3) successfully passed an equivalency examination testing knowledge of safe boating operation and safe personal watercraft handling administered by the commissioner.

Sec. 3. Subsection (e) of section 15-150 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) [Neither the] No owner, [nor any] agent or employee of a boat livery shall permit an operator of [any] a vessel which is rented to depart from the boat livery without a safe boating certificate or certificate of personal watercraft operation, if such operator is required by sections 15-140e, as amended by this act, and 15-140j to have a safe boating certificate or certificate of personal watercraft operation.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov