



**Substitute Senate Bill No. 699**

**Public Act No. 15-25**

**AN ACT ESTABLISHING A MINIMUM AGE FOR TOWING ANY PERSON BY VESSEL AND REQUIRING THE COMPLETION OF SAFE TOWING INSTRUCTION PRIOR TO THE ISSUANCE OF A SAFE BOATING CERTIFICATE.**

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 Section 15-140e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(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

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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. The provisions of this section shall not apply to any person who, between one hour before sunrise and one hour after sunset, operates a vessel propelled exclusively by an electric motor that is rated at one hundred six pounds of thrust or less on the inland waters of this state upon which motor powered vessels exceeding ten horsepower are prohibited.

(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 course in safe boating operation approved by the Commissioner of Energy and Environmental Protection, which courses may include those offered by the United States Power Squadrons, Coast Guard Auxiliary or other organizations, 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 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.

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(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) Notwithstanding the provisions of subsection (a) of this section, on and after October 1, 2015, no person shall operate on the waters of the state a vessel that is required to be registered or numbered pursuant to this chapter and that is engaged in water skiing, as defined in section 15-127, unless such person: (1) Is not less than sixteen years of age, (2) has a valid vessel operator license issued by the United States Coast Guard, has obtained a safe boating certificate or certificate of personal watercraft operation issued by the Commissioner of Energy and Environmental Protection or holds a boating safety certificate from a state that has a reciprocal agreement with the commissioner pursuant to section 15-140f, as amended by this act, or 15-140j, and (3) has a safe water skiing endorsement on or accompanying such certificate that was issued by the Commissioner of Energy and Environmental Protection upon such person's completion of the safe water skiing instruction described in section 15-140f, as amended by this act. No owner of a vessel shall knowingly authorize or permit a person who is less than sixteen years of age to operate such vessel while engaged in water skiing on the waters of the state. The requirements of subdivision (3) of this subsection shall not apply to any resident or person who, on or before the effective date of this section, received a valid vessel operator license issued by the United States Coast Guard, obtained a safe boating certificate or certificate of personal watercraft operation from the commissioner or held a boating safety certificate from a state that has such a reciprocal agreement with the commissioner. Nothing in this subsection shall be construed to prohibit the towing of a person or a vessel during the course of an

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emergency that poses a threat to human life or property.

[(f)] (g) 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)] (h) 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 aquatic invasive species, as determined by the commissioner pursuant to subsection (a) of section 15-180; and (2) properly disposing of such vegetation and such aquatic invasive species.

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

(b) (1) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, setting forth the content of safe boating operation courses. Such regulations may include provisions for examinations, issuance of safe boating certificates and establishment of reasonable fees for the course and examination and for issuing certificates, temporary certificates and duplicate certificates.

(2) The commissioner shall amend the regulations described in subdivision (1) of this subsection to set forth the content for instruction on safe water skiing, which shall be part of the course in safe boating operation. Such safe water skiing content shall include instruction on the safe operation of a vessel while engaged in water skiing. Such regulations shall include provisions for the issuance of a safe water skiing endorsement to be placed on a safe boating certificate or certificate of personal watercraft operation, including, but not limited

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to, provisions for including safe water skiing questions in the safe boating certificate examination and provisions for revoking any such endorsement. The commissioner shall make available on the department's Internet web site online information in safe water skiing that provides equivalent information on safe water skiing to such safe water skiing instruction provided as part of the course in safe boating operation.

Sec. 3. Section 15-140h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) No person less than twelve years of age shall operate a motor powered vessel exceeding ten horsepower unless accompanied on board by person at least eighteen years of age who has been issued a safe boating certificate.

(b) No person less than sixteen years of age shall operate on the waters of the state a vessel that is required to be registered or numbered pursuant to this chapter and that is engaged in water skiing, as defined in section 15-127.

Sec. 4. Section 15-134 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) [No person shall operate] In addition to the requirements of section 15-140e, as amended by this act, concerning water skiing, no person shall: (1) Operate a motorboat towing a water skier unless there is present in such motorboat, in addition to the operator, a responsible person at least twelve years of age assisting the operator and observing the progress of such water skier; [.]

[(b) No person shall engage] (2) Engage in water skiing and no person shall operate a motorboat towing a person so engaged on any water area on which water skiing is prohibited; [.]

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[(c) No person shall engage] (3) Engage in water skiing from one-half hour after sunset until sunrise or when weather conditions restrict normal visibility to less than one hundred yards; [.] and

[(d) No person shall engage] (4) Engage in water skiing in such manner as to strike or threaten to strike any person or vessel and no person shall operate a motorboat or manipulate a tow line or other towing device in such manner as to cause a water skier to strike or threaten to strike another person or vessel.

[(e)] (b) The commissioner may modify or suspend the provisions of this section in respect to any person performing or competing in a bona fide race, regatta, water carnival or similar public event.

[(f)] (c) (1) No individual, municipality, association or corporation shall place or cause to be placed on the waters of this state any marked course or jump ramp for use by any water skier or vessel without written authorization of the commissioner except on lakes or ponds owned by, and whose access is entirely under the control of, private landowners or lessees who all agree to the establishment of such course or ramp. On and after October 1, 1993, no new authorization shall be granted on any body of water with a surface area less than one hundred acres. Application for authorization shall be made on forms provided by the commissioner and shall be accompanied by: (A) A detailed map showing the proposed location of such marked course or jump ramp, (B) a detailed diagram of the proposed course markers or jump ramp, and (C) a detailed statement addressing the safety and environmental impact of such proposal.

(2) The commissioner shall hold an informational meeting in the town or one of the towns in which authorization is sought, giving all towns involved and all interested persons an opportunity to present their views regarding the proposed marked course or jump ramp. Any such informational meeting shall not be deemed to be a hearing under

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the provisions of chapter 54. Prior to issuing or denying such authorization the commissioner shall consider: (A) The completeness, accuracy and detail of the application, (B) public safety, (C) any environmental impacts directly related to the proposed marked course or jump ramp, and (D) the possible conflicts with other water uses.

(3) Any authorization issued by the commissioner pursuant to this subsection may contain such conditions as the commissioner deems necessary to safeguard public safety, welfare or the environment.

Approved June 4, 2015