



General Assembly

January Session, 2015

Committee Bill No. 699

LCO No. 3904



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT ESTABLISHING A MINIMUM AGE FOR TOWING ANY PERSON BY VESSEL AND REQUIRING THE COMPLETION OF A SAFE TOWING COURSE PRIOR TO ENGAGING IN SUCH TOWING BY VESSEL.

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 Section 15-140e of the general statutes is repealed and the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 October 1, 2016*):

3 (a) No resident of the state, person owning real property in the state
4 or person owning a vessel in the state shall operate on the waters of the
5 state a vessel which is required to be registered or numbered pursuant
6 to this chapter unless such person has a valid vessel operator license
7 issued by the United States Coast Guard or has obtained a safe boating
8 certificate issued by the Commissioner of Energy and Environmental
9 Protection. No owner of a vessel shall knowingly authorize or permit a
10 person who is less than sixteen years of age who is required by this
11 section to obtain a safe boating certificate issued by the Commissioner
12 of Energy and Environmental Protection to operate such vessel on the
13 waters of the state without a safe boating certificate, unless such
14 person is under the direct onboard supervision of a person who is at

15 least eighteen years of age who has been issued a safe boating
16 certificate and who has held such certificate for at least two years. A
17 safe boating certificate may be suspended or revoked, pursuant to
18 section 15-132a, 15-133, 15-140l or 15-140n, and shall be valid for the
19 life of the person to whom it is issued unless otherwise suspended or
20 revoked. The provisions of this section shall not apply to any person
21 who, between one hour before sunrise and one hour after sunset,
22 operates a vessel propelled exclusively by an electric motor that is
23 rated at one hundred six pounds of thrust or less on the inland waters
24 of this state upon which motor powered vessels exceeding ten
25 horsepower are prohibited.

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

35 (c) Notwithstanding subsection (a) of this section, any person who
36 purchases a new or used vessel may, upon vessel registration, apply to
37 the Department of Energy and Environmental Protection for a
38 temporary safe boating certificate which shall be valid for three
39 months from the date of registration. No person shall be issued more
40 than one temporary safe boating certificate.

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

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

53 (f) Notwithstanding the provisions of subsection (a) of this section,
54 no resident of the state, person owning real property in the state or
55 person owning a vessel in the state shall operate on the waters of the
56 state a vessel that is required to be registered or numbered pursuant to
57 this chapter and that is engaged in the towing, by line, of any person
58 on any apparatus unless such resident or person: (1) Is not less than
59 sixteen years of age, (2) has a valid vessel operator license issued by
60 the United States Coast Guard or has obtained a safe boating certificate
61 issued by the Commissioner of Energy and Environmental Protection,
62 and (3) has a safe towing endorsement on such license or certificate
63 that was issued by the Commissioner of Energy and Environmental
64 Protection upon such resident's or person's completion of the safe
65 towing course described in section 15-140f, as amended by this act. No
66 owner of a vessel shall knowingly authorize or permit a person who is
67 less than sixteen years of age to operate such vessel while engaged in
68 the towing, by line, of any person on any apparatus on the waters of
69 the state.

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

73 [(g)] (h) Any course in safe boating operation approved by the
74 Commissioner of Energy and Environmental Protection, as described
75 in subsection (b) of this section, shall include instruction on the proper
76 means of: (1) Inspecting a vessel and trailers used for transporting such
77 vessels for the presence of vegetation and aquatic invasive species, as
78 determined by the commissioner pursuant to subsection (a) of section

79 15-180; and (2) properly disposing of such vegetation and such aquatic
80 invasive species.

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

83 (a) The Commissioner of Energy and Environmental Protection
84 shall formulate courses in safe boating operation and a course in safe
85 towing.

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

92 (2) Not later than October 1, 2016, the commissioner shall amend the
93 regulations described in subdivision (1) of this subsection to set forth
94 the content of the safe towing course. Such safe towing course shall
95 include instruction on the safe operation of a vessel while engaged in
96 the towing, by line, of any person on any apparatus. Such regulations
97 shall include provisions for the issuance of a safe towing endorsement
98 to be placed on an operator license issued by the United States Coast
99 Guard or on a safe boating certificate, including, but not limited to,
100 provisions for administering an examination on safe towing, revoking
101 any such endorsement and establishing a reasonable fee for such safe
102 towing course, examination and issuance of such endorsement.

103 (c) No person shall teach a course in safe boating operation that
104 satisfies the requirements for issuance of a safe boating certificate or
105 teach a course in safe towing that satisfies the requirements for
106 issuance of a safe towing endorsement if the commissioner has not
107 approved such course. Any safe towing course may be offered on-line.

108 (d) No Department of Energy and Environmental Protection

109 employee or agent shall use Department of Energy and Environmental
110 Protection safe boating course or safe towing course materials for
111 personal gain.

112 (e) Any person who holds a certificate from another state that has a
113 reciprocal agreement with the commissioner may operate a vessel on
114 the waters of this state.

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

118 Sec. 3. Section 15-140h of the general statutes is repealed and the
119 following is substituted in lieu thereof (*Effective October 1, 2016*):

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

124 (b) No person less than sixteen years of age shall operate on the
125 waters of the state a vessel that is required to be registered or
126 numbered pursuant to this chapter and that is engaged in the towing,
127 by line, of any person on any apparatus.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	15-140e
Sec. 2	<i>from passage</i>	15-140f
Sec. 3	<i>October 1, 2016</i>	15-140h

Statement of Purpose:

To establish "Emily's law" by creating safe towing by boat laws in Connecticut that will apply to the use of a vessel to tow any person, by line, on any apparatus.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. FRANTZ, 36th Dist.; REP. FLOREN, 149th Dist.
REP. CAMILLO, 151st Dist.; REP. BOCCHINO, 150th Dist.

S.B. 699