



General Assembly

Substitute Bill No. 699

January Session, 2015



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:

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 Section 15-140e of the general statutes is repealed and the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

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, or otherwise, unless such resident or person: (1) Is
59 not less than sixteen years of age, (2) has a valid vessel operator license
60 issued by the United States Coast Guard or has obtained a safe boating
61 certificate issued by the Commissioner of Energy and Environmental
62 Protection, and (3) has a safe towing endorsement on such license or
63 certificate that was issued by the Commissioner of Energy and
64 Environmental Protection upon such resident's or person's completion
65 of the safe towing instruction described in section 15-140f, as amended
66 by this act. The requirements of subdivision (3) of this subsection shall
67 not apply to any resident or person who, on or before the effective date
68 of this section, received a valid vessel operator license issued by the
69 United States Coast Guard or obtained a safe boating certificate issued
70 by the commissioner, provided any such resident or person may
71 acquire information on the safe operation of a vessel while engaged in
72 such towing from the online instruction in safe towing made available
73 by the commissioner pursuant to section 15-140f, as amended by this
74 act. No owner of a vessel shall knowingly authorize or permit a person
75 who is less than sixteen years of age to operate such vessel while
76 engaged in the towing, by line, of any person on any apparatus, or
77 otherwise, on the waters of the state. Nothing in this subsection shall
78 be construed to prohibit the towing of a person or a vessel during the
79 course of an emergency that poses a threat to human life or property.

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

83 [(g)] (h) Any course in safe boating operation approved by the
84 Commissioner of Energy and Environmental Protection, as described
85 in subsection (b) of this section, shall include instruction on the proper
86 means of: (1) Inspecting a vessel and trailers used for transporting such
87 vessels for the presence of vegetation and aquatic invasive species, as
88 determined by the commissioner pursuant to subsection (a) of section
89 15-180; and (2) properly disposing of such vegetation and such aquatic
90 invasive species.

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

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

100 (2) Not later than October 1, 2015, the commissioner shall amend the
101 regulations described in subdivision (1) of this subsection to set forth
102 the content for instruction on safe towing which shall be part of the
103 course in safe boating operation. Such safe towing content shall
104 include instruction on the safe operation of a vessel while engaged in
105 the towing, by line, of any person on any apparatus, or otherwise. Such
106 regulations shall include provisions for the issuance of a safe towing
107 endorsement to be placed on an operator license issued by the United
108 States Coast Guard or on a safe boating certificate, including, but not
109 limited to, provisions for including safe towing questions in the safe
110 boating certificate examination and revoking any such endorsement.
111 The commissioner shall make available on the department's Internet
112 web site online instruction in safe towing that provides equivalent
113 instruction on safe towing to such safe towing instruction provided as
114 part of the course in safe boating operation and that is intended for any
115 resident or person who, prior to the effective date of this section,

116 received a vessel operator license issued by the United States Coast
117 Guard or obtained a safe boating certificate issued by the
118 commissioner.

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	15-140e
Sec. 2	<i>from passage</i>	15-140f(b)
Sec. 3	<i>October 1, 2015</i>	15-140h

ENV *Joint Favorable Subst.*

JUD *Joint Favorable*