



General Assembly

Amendment

January Session, 2015

LCO No. 6671



Offered by:

SEN. KENNEDY, 12th Dist.

REP. ALBIS, 99th Dist.

SEN. CHAPIN, 30th Dist.

REP. SHABAN, 135th Dist.

To: Subst. Senate Bill No. 699

File No. 552

Cal. No. 318

"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."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 15-140e of the general statutes is repealed and the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

5 (a) No resident of the state, person owning real property in the state
6 or person owning a vessel in the state shall operate on the waters of the
7 state a vessel which is required to be registered or numbered pursuant
8 to this chapter unless such person has a valid vessel operator license
9 issued by the United States Coast Guard or has obtained a safe boating
10 certificate issued by the Commissioner of Energy and Environmental

11 Protection. No owner of a vessel shall knowingly authorize or permit a
12 person who is less than sixteen years of age who is required by this
13 section to obtain a safe boating certificate issued by the Commissioner
14 of Energy and Environmental Protection to operate such vessel on the
15 waters of the state without a safe boating certificate, unless such
16 person is under the direct onboard supervision of a person who is at
17 least eighteen years of age who has been issued a safe boating
18 certificate and who has held such certificate for at least two years. A
19 safe boating certificate may be suspended or revoked, pursuant to
20 section 15-132a, 15-133, 15-140l or 15-140n, and shall be valid for the
21 life of the person to whom it is issued unless otherwise suspended or
22 revoked. The provisions of this section shall not apply to any person
23 who, between one hour before sunrise and one hour after sunset,
24 operates a vessel propelled exclusively by an electric motor that is
25 rated at one hundred six pounds of thrust or less on the inland waters
26 of this state upon which motor powered vessels exceeding ten
27 horsepower are prohibited.

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

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

43 (d) Any person operating a vessel other than a personal watercraft,

44 as defined in section 15-140j, which is rented for a period of fourteen
45 days or less from a boat livery need not obtain a certificate during the
46 rental period. An owner, agent or employee of a boat livery shall
47 furnish to each rental customer literature on safety and rules of
48 navigation as supplied by the commissioner.

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

55 (f) Notwithstanding the provisions of subsection (a) of this section,
56 on and after October 1, 2015, no person shall operate on the waters of
57 the state a vessel that is required to be registered or numbered
58 pursuant to this chapter and that is engaged in water skiing, as defined
59 in section 15-127, unless such person: (1) Is not less than sixteen years
60 of age, (2) has a valid vessel operator license issued by the United
61 States Coast Guard, has obtained a safe boating certificate or certificate
62 of personal watercraft operation issued by the Commissioner of
63 Energy and Environmental Protection or holds a boating safety
64 certificate from a state that has a reciprocal agreement with the
65 commissioner pursuant to section 15-140f, as amended by this act, or
66 15-140j, and (3) has a safe water skiing endorsement on or
67 accompanying such certificate that was issued by the Commissioner of
68 Energy and Environmental Protection upon such person's completion
69 of the safe water skiing instruction described in section 15-140f, as
70 amended by this act. No owner of a vessel shall knowingly authorize
71 or permit a person who is less than sixteen years of age to operate such
72 vessel while engaged in water skiing on the waters of the state. The
73 requirements of subdivision (3) of this subsection shall not apply to
74 any resident or person who, on or before the effective date of this
75 section, received a valid vessel operator license issued by the United
76 States Coast Guard, obtained a safe boating certificate or certificate of

77 personal watercraft operation from the commissioner or held a boating
78 safety certificate from a state that has such a reciprocal agreement with
79 the commissioner. Nothing in this subsection shall be construed to
80 prohibit the towing of a person or a vessel during the course of an
81 emergency that poses a threat to human life or property.

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

85 ~~[(g)]~~ (h) Any course in safe boating operation approved by the
86 Commissioner of Energy and Environmental Protection, as described
87 in subsection (b) of this section, shall include instruction on the proper
88 means of: (1) Inspecting a vessel and trailers used for transporting such
89 vessels for the presence of vegetation and aquatic invasive species, as
90 determined by the commissioner pursuant to subsection (a) of section
91 15-180; and (2) properly disposing of such vegetation and such aquatic
92 invasive species.

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

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

102 (2) The commissioner shall amend the regulations described in
103 subdivision (1) of this subsection to set forth the content for instruction
104 on safe water skiing, which shall be part of the course in safe boating
105 operation. Such safe water skiing content shall include instruction on
106 the safe operation of a vessel while engaged in water skiing. Such
107 regulations shall include provisions for the issuance of a safe water

108 skiing endorsement to be placed on a safe boating certificate or
109 certificate of personal watercraft operation, including, but not limited
110 to, provisions for including safe water skiing questions in the safe
111 boating certificate examination and provisions for revoking any such
112 endorsement. The commissioner shall make available on the
113 department's Internet web site online information in safe water skiing
114 that provides equivalent information on safe water skiing to such safe
115 water skiing instruction provided as part of the course in safe boating
116 operation.

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

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

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

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

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

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

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

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

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

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

163 (2) The commissioner shall hold an informational meeting in the
164 town or one of the towns in which authorization is sought, giving all
165 towns involved and all interested persons an opportunity to present
166 their views regarding the proposed marked course or jump ramp. Any
167 such informational meeting shall not be deemed to be a hearing under
168 the provisions of chapter 54. Prior to issuing or denying such
169 authorization the commissioner shall consider: (A) The completeness,

170 accuracy and detail of the application, (B) public safety, (C) any
 171 environmental impacts directly related to the proposed marked course
 172 or jump ramp, and (D) the possible conflicts with other water uses.

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

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
Sec. 4	<i>October 1, 2015</i>	15-134