

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Enact Guidelines for the Operation of Motorboats by Minors

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §13071-B is enacted to read:

§ 13071-B. Operating motorboats

1. Operating motorboat while underage. A person under 16 years of age may not operate a motorboat.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

2. Additional safety requirements while operating motorboat. This subsection applies to the operation of or being a passenger on a motorboat.

A. A person may not:

(1) Operate or be a passenger on a motorboat unless the person is wearing a United States Coast Guard approved Type I, Type II or Type III personal flotation device; or

(2) Operate a motorboat during the hours between sunset and sunrise.

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

3. Operating motorboat while 16 years of age or older and under 18 years of age; boater education. This subsection applies to the operation of a motorboat by a person 16 years of age or older and under 18 years of age.

A. A person 16 years of age or older and under 18 years of age may not operate a motorboat unless:

(1) That person is accompanied by a person 18 years of age or older who physically occupies the motorboat; or

(2) While operating the motorboat, that person possesses on that person identification showing proof of age and proof of successful completion of a boater safety education course approved by a national association of state boating law administrators, including but not limited to courses offered by the United States Coast Guard Auxiliary or other organizations approved by the commissioner for providing boater safety education courses. The commissioner shall establish a list of approved organizations for providing boater safety education courses and make that list readily available to the public.

B. The penalties described in this paragraph apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

SUMMARY

This bill requires the same guidelines for the operation of motorboats by people under 18 years of age as already exist for the operation of personal watercraft. The personal watercraft guidelines that prohibited use of personal watercraft on certain lakes and ponds were not included.