



1997 SENATE BILL 62

February 5, 1997 - Introduced by Senators WEEDEN and FARROW, cosponsored by Representatives KEDZIE, BLACK, OURADA, AINSWORTH, LAZICH and OLSEN. Referred to Committee on Agriculture and Environmental Resources.

1 **AN ACT to amend** 30.68 (3) (title), 30.68 (3) (b), 30.68 (3) (c) 3. and 30.74 (1) (c);
2 **and to create** 30.68 (3) (a) (title), 30.68 (3) (c) (title), 30.68 (3) (d) (title) and
3 30.68 (3) (dm) of the statutes; **relating to:** requiring certain persons to hold
4 boating safety certificates.

Analysis by the Legislative Reference Bureau

This bill makes various changes in who must have a boating safety certificate in order to operate a motorboat or a personal watercraft. A boating safety certificate shows that the holder of the certificate has completed the boating safety course administered by the department of natural resources.

Minors under 12 years of age

Under current law, a minor who is under 10 years of age may not operate a motorboat and a minor who is under 12 years of age may not operate a personal watercraft. Under current law, a minor who is 10 or 11 years of age may operate a motorboat if the minor is accompanied by a parent or guardian or an adult designated by the parent or guardian. Under the bill, a minor who is 10 or 11 years of age must have a boating safety certificate and be accompanied as required under current law in order to operate a motorboat. This bill makes no changes to the current law prohibiting a minor who is under 12 years of age from operating a personal watercraft.

Minors at least 12 years of age but under 16 years of age

Under current law, a minor who is at least 12 years of age but under 16 years of age may not operate a motorboat unless he or she is accompanied by a parent,

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guardian or adult in the manner described in the preceding paragraph. Under the bill, a minor in this age bracket must have the boating safety certificate regardless of whether he or she is so accompanied.

Under current law, a minor who is at least 12 years of age but under 16 years of age must have a valid boating safety certificate to operate a personal watercraft. The bill makes no changes in this restriction.

Minors 16 or 17 years of age

Under current law, there are no restrictions on the operation of a motorboat or a personal watercraft by a minor who is 16 or 17 years of age. Under the bill, a minor in this age bracket must have a valid boating safety certificate to operate these types of watercraft.

Adults born on or after January 1, 1981

This bill requires a person who is 18 years of age or older and who was born on or after January 1, 1981, to hold a boating safety certificate in order to operate a motorboat or a personal watercraft. Under current law, there is no such requirement.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 30.68 (3) (title) of the statutes is amended to read:

2 30.68 (3) (title) OPERATION BY INCAPACITATED PERSON OR MINOR CERTAIN PERSONS.

3 **SECTION 2.** 30.68 (3) (a) (title) of the statutes is created to read:

4 30.68 (3) (a) (title) *Incapacitated persons.*

5 **SECTION 3.** 30.68 (3) (b) of the statutes is amended to read:

6 30.68 (3) (b) (title) *Minors; motorboats other than personal watercraft.* No
7 person under the age of 10 years may operate a motorboat. ~~Persons~~ No person who
8 is at least 10 and years of age but less than 12 years of age may operate a motorboat
9 only if they are either unless he or she holds a valid certificate issued under s. 30.74
10 (1) and is accompanied in the boat motorboat by a parent or guardian or a person at
11 least 18 years of age designated by a parent or guardian. ~~Persons~~ No person who is
12 at least 12 and years of age but less than 16 18 years of age may operate a motor of

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1 any horsepower, but only if they are either accompanied by a parent or guardian or
2 a person at least 18 years of age designated by a parent or guardian, or in possession
3 of a certificate motorboat unless he or she holds a valid certificate issued under s.
4 30.74 (1). This paragraph does not apply to personal watercraft.

5 **SECTION 4.** 30.68 (3) (c) (title) of the statutes is created to read:

6 30.68 (3) (c) (title) *Minors; personal watercraft.*

7 **SECTION 5.** 30.68 (3) (c) 3. of the statutes is amended to read:

8 30.68 (3) (c) 3. No person who is at least 12 years of age but under ~~16~~ 18 years
9 of age may operate a personal watercraft unless he or she is in possession of a
10 certificate issued under s. 30.74 (1).

11 **SECTION 6.** 30.68 (3) (d) (title) of the statutes is created to read:

12 30.68 (3) (d) (title) *Responsibility for minors.*

13 **SECTION 7.** 30.68 (3) (dm) of the statutes is created to read:

14 30.68 (3) (dm) *Persons born on or after January 1, 1981.* No person who was
15 born on or after January 1, 1981, and who is 18 years of age or older may operate a
16 motorboat unless the person holds a valid certificate issued under s. 30.74 (1).

17 **SECTION 8.** 30.74 (1) (c) of the statutes is amended to read:

18 30.74 (1) (c) ~~Valid certificates~~ For purposes of s. 30.68 (3), a valid certificate
19 issued by other states or provinces held by persons between the ages of 10 and 16
20 years will be honored another state or a province of Canada may be used by the holder
21 of the certificate in lieu of a certificate issued under par. (a) if the course content
22 substantially meets that established by the department.

23 **SECTION 9. Effective dates.** This act takes effect on the day after publication,

24 except as follows:

