

2005 DRAFTING REQUEST

Bill

Received: 01/12/2005

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **J.A. Hines (608) 266-7746**

By/Representing: **Doug Parrot**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hines@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Mandatory boating certificates for certain persons over 16

Instructions:

Same as AB719

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 01/12/2005	lkunkel 01/29/2005		_____			State
/1			pgreensl 01/31/2005	_____	lnorthro 01/31/2005		State
/2	mglass 02/10/2005	wjackson 02/11/2005	pgreensl 02/14/2005	_____	sbasford 02/14/2005	mbarman 02/16/2005	

FE Sent For:

At
Intro.

<END>

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Per



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/?	mglass 01/12/2005	lkunkel 01/29/2005		_____			State
/1		12 Wlj 2/10	pgreensl 01/31/2005	2/14 _____	Inorthro 01/31/2005		

FE Sent For:

2/14
ps

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Requester's email: **Rep.Hines@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Mandatory boating certificates for certain persons over 18 ⁶ ✓

Instructions:

Same as AB719

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass	1/mk 1/29	1/30 ps	1/31 sly			

FE Sent For:

<END>

1678/1

LRB-3614/1

MGG:kmg:pg

RM
not
R

in
1/13/05

~~DNR~~

lmk

2003 ASSEMBLY BILL 790

door

LPS: PLS PWF

LPS: PLS fix requester's sheet

February 2, 2004 - Introduced by Representatives HINES, OTT, BLACK, MILLER, TOWNSEND, HUNDERTMARK, BERCEAU, BIES and AINSWORTH, cosponsored by Senator SCHULTZ. Referred to Committee on Natural Resources.

ReGen

1 **AN ACT to repeal 30.68 (3) (b); to renumber 30.68 (3) (a); to renumber and**
2 **amend 30.68 (3) (c) 1., 30.68 (3) (c) 2., 30.68 (3) (c) 3. and 30.68 (3) (d); to amend**
3 **30.68 (3) (title), 30.742, 30.80 (2) and 30.80 (2m); and to create 30.678 (title)**
4 **and (1), 30.678 (2) (title) and (c) and 30.678 (3) of the statutes; relating to:**
5 **operation of motorboats by persons who are at least 16 years of age and born**
6 **after a certain date.** ✓

Analysis by the Legislative Reference Bureau

1988

Under current law, a person who is 16 years of age or older may operate a motorboat without completing a boating safety course or otherwise being tested as to his or her knowledge regarding boating operation and safety. Under this bill, a person who is 16 years of age or older and who is born after January 1, 1987, must complete a boating safety course established by the Department of Natural Resources (DNR) and must be issued a certificate of completion. Under current law, a certificate issued by another state or a Canadian province will be honored in this state if the course content substantially meets the requirements for the course established by DNR.

*

ASSEMBLY BILL 790

✓ For further information see the *state* 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.** 30.678 (title) and (1) of the statutes are created to read:

2 **30.678 (title) Boating safety certificates; requirements; exemptions;**
3 **operation by minors. (1) MOTORBOATS OTHER THAN PERSONAL WATERCRAFT.** (a) No
4 person under 10 years of age may operate a motorboat. ✓

5 (b) No person who is at least 10 years of age but under 12 years of age may
6 operate a motorboat unless he or she is accompanied in the motorboat by a parent
7 or guardian or by a person who is at least 18 years of age and who is designated by
8 a parent or guardian. ✓

9 (c) No person who is at least 12 years of age but under 16 years of age may
10 operate a motorboat unless one of the following applies: ✓

11 1. The person holds a valid boating safety certificate issued under s. 30.74 (1)
12 (a) or a valid boating safety certificate that is honored under s. 30.74 (1) (c). ✓

13 2. The person is accompanied in the motorboat by a parent or guardian or by
14 a person who is at least 18 years of age and who is designated by a parent or guardian. ✓

15 (d) No person who was born on or after January 1, ¹⁹⁸⁸~~1987~~, and who is 16 years
16 of age or older may operate a motorboat unless the person holds a valid safety
17 certificate issued under s. 30.74 (1) (a) or a valid boating safety certificate that is
18 honored under s. 30.74 (1) (c). ✓

19 (e) Paragraphs (a) to (d) do not apply to the operation of a personal watercraft. ✓

20 **SECTION 2.** 30.678 (2) (title) and (c) of the statutes are created to read:

21 **30.678 (2) (title) PERSONAL WATERCRAFT.** ✓

1 (c) No person who was born on or after January 1, ¹⁹⁸⁸~~1987~~, and who is 16 years
2 of age or older may operate a personal watercraft unless the person holds a valid
3 safety certificate issued under s. 30.74 (1) (a) or a valid boating safety certificate that
4 is honored under s. 30.74 (1) (c).

5 **SECTION 3.** 30.678 (3) of the statutes is created to read:

6 30.678 (3) EXEMPTION. Subsections (1) (b), (c), and (d) and (2) (b) and (c) do not
7 apply to a person while the person is operating a motorboat as may be required as
8 part of a boating safety course under s. 30.74 (1).

9 **SECTION 4.** 30.68 (3) (title) of the statutes is amended to read:

10 30.68 (3) (title) OPERATION BY INCAPACITATED PERSON OR MINOR.

11 **SECTION 5.** 30.68 (3) (a) of the statutes is renumbered 30.68 (3).

12 **SECTION 6.** 30.68 (3) (b) of the statutes is repealed.

13 **SECTION 7.** 30.68 (3) (c) 1. of the statutes is renumbered 30.678 (2) (a) and
14 amended to read:

15 30.678 (2) (a) No person under ~~the age of~~ 12 years of age may operate, lease or
16 rent a personal watercraft.

17 **SECTION 8.** 30.68 (3) (c) 2. of the statutes is renumbered 30.625 (1m) and
18 amended to read:

19 30.625 (1m) No person who is ~~at least 12 years of age~~ but under 16 years of age
20 may rent or lease a personal watercraft.

21 **SECTION 9.** 30.68 (3) (c) 3. of the statutes is renumbered 30.678 (2) (b) and
22 amended to read:

23 30.678 (2) (b) No person who is ~~at least 12 years of age~~ or older but under 16
24 years of age may operate a personal watercraft unless he or she is in possession of

ASSEMBLY BILL 790

1 a certificate issued under s. 30.74 (1) (a) or a valid boating safety certificate that is
2 honored under s. 30.74 (1) (c).

3 SECTION 10. 30.68 (3) (d) of the statutes is renumbered 30.678 (4) and amended
4 to read:

5 30.678 (4) PARENT AND GUARDIAN LIABILITY. A violation of ~~par. (b) or (e)~~ sub. (1)
6 (a), (b), (c), or (d) or (2) (a), (b), or (c) that is done with the knowledge of a parent or
7 guardian shall be deemed considered a violation by the parent or guardian, and shall
8 be punishable under s. 30.80.

9 SECTION 11. 30.742 of the statutes is amended to read:

10 **30.742 Water exhibitions and races; rules.** For water exhibitions or races,
11 the department may promulgate rules that provide exemptions from any of the
12 requirements or restrictions under s. 30.61, 30.62, 30.65, 30.66, 30.678, 30.68 or
13 30.69.

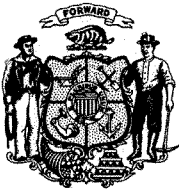
14 SECTION 12. 30.80 (2) of the statutes is amended to read:

15 30.80 (2) Any person violating s. 30.68 (2) shall be fined not more than \$200
16 or imprisoned for not more than 6 months or both. ~~Any person violating s. 30.68 shall~~
17 ~~be required to obtain a certificate of satisfactory completion of a safety course under~~
18 ~~s. 30.74 (1).~~

19 SECTION 13. 30.80 (2m) of the statutes is amended to read:

20 30.80 (2m) Any person violating s. 30.678 or 30.68 shall be required to obtain
21 a certificate of satisfactory completion of a safety course under s. 30.74 (1). If the
22 person has a valid certificate at the time that the court imposes sentence under sub.
23 (1) or (2), the court shall permanently revoke the certificate and order the person to
24 obtain a certificate of satisfactory completion of a safety course under s. 30.74 (1).

25 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1678/12

MGG:kmg:pg

RUR

soon
(in editing 2/11)
Lmk
+
Wlj

2005 BILL

1 ^{Reagan} AN ACT *to repeal* 30.68 (3) (b); *to renumber* 30.68 (3) (a); *to renumber and*
2 *amend* 30.68 (3) (c) 1., 30.68 (3) (c) 2., 30.68 (3) (c) 3. and 30.68 (3) (d); *to amend*
3 30.68 (3) (title), 30.742, 30.80 (2) and 30.80 (2m); and *to create* 30.678 (title)
4 and (1), 30.678 (2) (title) and (c) and 30.678 (3) of the statutes; **relating to:**
5 operation of motorboats by persons who are at least 16 years of age and born
6 after a certain date.

1989

(X)

Analysis by the Legislative Reference Bureau

Under current law, a person who is 16 years of age or older may operate a motorboat without completing a boating safety course or otherwise being tested as to his or her knowledge regarding boating operation and safety. Under this bill, a person who is 16 years of age or older and who is born after January 1, 1989, must complete a boating safety course established by the Department of Natural Resources (DNR) and must be issued a certificate of completion. Under current law, a certificate issued by another state or a Canadian province will be honored in this state if the course content substantially meets the requirements for the course established by DNR.

BILL

For further information see the *state* 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.** 30.678 (title) and (1) of the statutes are created to read:

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4 person under 10 years of age may operate a motorboat.

5 (b) No person who is at least 10 years of age but under 12 years of age may
6 operate a motorboat unless he or she is accompanied in the motorboat by a parent
7 or guardian or by a person who is at least 18 years of age and who is designated by
8 a parent or guardian.

9 (c) No person who is at least 12 years of age but under 16 years of age may
10 operate a motorboat unless one of the following applies:

11 1. The person holds a valid boating safety certificate issued under s. 30.74 (1)
12 (a) or a valid boating safety certificate that is honored under s. 30.74 (1) (c).

13 2. The person is accompanied in the motorboat by a parent or guardian or by
14 a person who is at least 18 years of age and who is designated by a parent or guardian.

15 (d) No person who was born on or after January 1, ¹⁹⁸⁹~~1988~~, and who is 16 years
16 of age or older may operate a motorboat unless the person holds a valid safety
17 certificate issued under s. 30.74 (1) (a) or a valid boating safety certificate that is
18 honored under s. 30.74 (1) (c).

19 (e) Paragraphs (a) to (d) do not apply to the operation of a personal watercraft.

20 **SECTION 2.** 30.678 (2) (title) and (c) of the statutes are created to read:

21 **30.678 (2) (title) PERSONAL WATERCRAFT.**

BILL

1989

1 (c) No person who was born on or after January 1, 1988, and who is 16 years
2 of age or older may operate a personal watercraft unless the person holds a valid
3 safety certificate issued under s. 30.74 (1) (a) or a valid boating safety certificate that
4 is honored under s. 30.74 (1) (c).

5 **SECTION 3.** 30.678 (3) of the statutes is created to read:

6 30.678 (3) EXEMPTION. Subsections (1) (b), (c), and (d) and (2) (b) and (c) do not
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15 30.678 (2) (a) No person under the age of 12 years of age may operate, lease or
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17 **SECTION 8.** 30.68 (3) (c) 2. of the statutes is renumbered 30.625 (1m) and
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BILL

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13 30.69.

14 **SECTION 12.** 30.80 (2) of the statutes is amended to read:

15 30.80 (2) Any person violating s. 30.68 (2) shall be fined not more than \$200
16 or imprisoned for not more than 6 months or both. ~~Any person violating s. 30.68 shall~~
17 ~~be required to obtain a certificate of satisfactory completion of a safety course under~~
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19 **SECTION 13.** 30.80 (2m) of the statutes is amended to read:

20 30.80 (2m) Any person violating s. 30.678 or 30.68 shall be required to obtain
21 a certificate of satisfactory completion of a safety course under s. 30.74 (1). If the
22 person has a valid certificate at the time that the court imposes sentence under sub.
23 (1) or (2), the court shall permanently revoke the certificate and order the person to
24 obtain a certificate of satisfactory completion of a safety course under s. 30.74 (1).

25 (END)