

JAN 26 2011

A BILL FOR AN ACT

RELATING TO BOATING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 200, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§200- Operation of motorized vessels; persons
5 authorized. (a) Any person operating a motorized vessel on the
6 waters of the State shall be required to possess a certificate
7 of completion from a course on the safe use and operation of a
8 motor vessel. The course shall contain a component on Hawaii
9 waters and be approved by the National Association of State
10 Boating Law Administrators. Any person who is authorized by the
11 State to operate a thrill craft in a commercial thrill craft
12 zone and any person who possesses a valid license to operate a
13 vessel issued for maritime personnel by the United States Coast
14 Guard pursuant to 46 Code of Federal Regulations part 10 shall
15 be exempt from this section.

16 (b) No person shall operate a motorized vessel unless the
17 person is fifteen years of age or older, or is accompanied on-
18 board and directly supervised by a person fifteen years of age



1 or older who holds the certificate of completion required under
2 subsection (a).

3 (c) Any commercial operation or individual engaged in the
4 business of renting or leasing motorized vessels shall not rent
5 or lease a motorized vessel to any person who does not meet the
6 certificate and age requirements under this section.

7 (d) A person who is stopped by a law enforcement officer
8 while operating a motorized vessel on any waters of the State
9 shall present, upon request, the certificate of completion
10 required under subsection (a) or evidence of exemption. Failure
11 to present a certificate or evidence of exemption shall
12 constitute a violation of this section.

13 (e) No person shall alter, forge, counterfeit, or falsify
14 a certificate of completion or a document to be used as evidence
15 of exemption.

16 (f) The department shall maintain a list of courses
17 approved by the National Association of State Boating Law
18 Administrators that contain a component on Hawaii waters that
19 shall include:

20 (1) Local ocean safety principles and practices; and

21 (2) Rules and laws pertaining to protected species and
22 motorized vessel operations in the State.



1 (g) Any person in violation of this section shall be fined
2 or penalized pursuant to section 200-25."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

INTRODUCED BY:

Will Lyons

John Ryan

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Report Title:

Boating; Motorized Vessels; Certification; Age Restriction

Description:

Requires operators of motorized vessels on state waters to be certified and 15 years of age or older.

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