

Subject Watercraft Operators

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Overview

This bill modifies watercraft safety requirements. The bill would phase-in new watercraft operator's permit requirements for those 12 years of age or older, with certain exceptions, as well as establish new requirements on motorboat rental businesses. The watercraft operator's permit requirements would be phased in as follows:

- effective July 1, 2024, for those born on or after July 1, 2003;
- effective July 1, 2025, for those born on or after July 1, 1999;
- effective July 1, 2026, for those born on or after July 1, 1995; and
- effective July 1, 2027, for those born on or after July 1, 1987.

Summary

| Section | Description |
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| 1 | Definitions. |
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Defines "accompanying operator," "adult operator," "exempt operator," "motorboat rental business," and "young operator" for purposes of new watercraft operator permit and motorboat rental business requirements.

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| 2 | Watercraft operator's permit. |
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Subd. 1. Generally. Requires the commissioner to issue a watercraft operator's permit to those 12 years of age or older who complete a water safety course and written test. Under current law, youth 12 to 17 years of age are required to obtain the permit.

Subd. 2. Issuing permit to certain young operators. Allows the commissioner to issue a permit to an 11-year-old but the permit would not be valid until the person is 12.

Subd. 3. Personal possession required. Requires a person required to have a watercraft operator's permit to have the permit or a driver's

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license/identification card with a valid watercraft operator's permit indicator in their possession. Requires a person to display one of these to a conservation officer or peace officer upon request.

Subd. 4. Using electronic device to display proof of permit. States that if a person uses an electronic device to display the watercraft operator's permit, the conservation officer or police officer is immune from liability for any damage to the device unless the officer does not exercise due care. Also states that this does not constitute consent for the officer to access other content on the device.

States that the section is effective July 1, 2024.

3 **Operating personal watercraft and other motorboats.**

Subd. 1. Adult operator. Requires an adult operator of a motorboat, including a personal watercraft, to have a valid watercraft operator's permit, be exempt from permit requirements, or have an accompanying operator in the watercraft.

Subd. 2. Young operators. Prohibits a young operator from operating a personal watercraft or motorboat of more than 75 horsepower. Allows a young operator to operate a motorboat with less than 75 horsepower if an accompanying operator is in the motorboat. Under an existing law (repealed under this bill), similar restrictions apply, however, there is an exemption for motorboats with less than 25 horsepower which would no longer apply under this bill.

Subd. 3. Accompanying operators. States that for the purposes of this section and existing driving while impaired provisions, the accompanying operator and the actual operator are operating and in physical control of the motorboat.

Subd. 4. Owners may not allow unlawful use. Prohibits the owner or other person in control of a motorboat from allowing the motorboat from being operated in violation of this section.

States that the section is effective July 1, 2024.

4 **Watercraft safety program.**

Requires the commissioner to establish a watercraft safety course and testing program for personal watercraft and watercraft operators, including a written test. Similar requirements exist under current law. Requires the course to be approved by the National Association of State Boating Law Administrators and be available online. Allows the commissioner to designate courses administered by third parties and enter into reciprocity agreements or certify programs from other states that are similar to in-state programs. Requires the commissioner to establish a work group to

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assist with developing and implementing the program. Requires a short boater safety examination to be administered to rental businesses.

States that the section is effective July 1, 2024.

5 Motorboat rental businesses.

Subd. 1. Requirements. Prohibits a motorboat rental business from renting or leasing a motorboat to a person unless the person is 18 years of age or older and has a valid watercraft operator's permit or is exempt from the requirements.

Subd. 2. Authorized operators. Requires a motorboat rental business to list on each rental or lease agreement the name and age of each operator authorized to operate the motorboat or personal watercraft. Requires the renter or lessee to ensure that only those listed operate the motorboat or personal watercraft.

Subd. 3. Summary of boating regulations; examination. Requires a motorboat rental business to provide each authorized operator a summary of the watercraft safety laws. Requires each authorized operator to review the summary and take a short boater safety examination before they leave the motorboat rental business.

Subd. 4. Safety equipment for personal watercraft. Requires a motorboat rental business to provide a free U.S. Coast Guard approved wearable personal flotation device meeting certain requirements to all people who rent a personal watercraft. (This is a recodification of a similar law which is removed in the next section.)

States that the section is effective July 1, 2024.

6 Dealers and rental operations.

Removes provisions related to the rental of personal watercraft that have been recodified elsewhere in the bill.

States that the section is effective July 1, 2024.

7 Watercraft operator's permit.

Requires the Department of Public Safety to maintain information on a person issued a watercraft operator's permit and include the information on all drivers' licenses or identification cards issued to the person.

States that the section is effective July 1, 2024.

| Section | Description |
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| 8 | Repealer. Repeals § 86B.101 (existing watercraft safety program); § 86B.305 (existing youth operator provisions); and § 86B.313, subds. 2 and 3 (youth personal watercraft provisions). |



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