

By Mr. Palumbo of Newbury, petition of Thomas G. Palumbo for legislation to grant equal access for users of small watercraft to tidelands of the Commonwealth, great ponds, public landings and rights of way. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT REQUIRING EQUAL ACCESS FOR SMALL WATERCRAFT USERS TO COMMONWEALTH TIDELANDS, GREAT PONDS, PUBLIC LANDINGS AND RIGHTS OF WAY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Definitions: (a) The small watercraft which this
2 legislation addresses have these characteristics: nonmotorized
3 craft that are propelled on the water by paddle, oar or sail; which
4 can be transported to the beach or a great pond by a vehicle using
5 a roof rack or a trailer; and which can be hand-carried by persons
6 from their vehicle or trailer to the water.

7 (b) A suitable access site shall be deemed to be a location which
8 small watercraft users can launch such watercraft without creating
9 hazard to swimmers or other recreational users.

1 SECTION 2. No small watercraft user shall be denied access
2 to suitable access sites at Commonwealth tidelands, great ponds
3 available for swimming and recreation, rights of ways, across any
4 land which is owned or controlled by the Commonwealth or any
5 of its political subdivisions for the purpose of small craft boating,
6 which is hereby declared to encompass navigation and to be a water
7 dependent use; provided, however, that whomsoever is
8 empowered by the state, city or town to regulate such sites may
9 regulate small craft boating access. In addition, small watercraft
10 shall continue to have access to the water at public landings in
11 accordance with existing law of the Commonwealth.

