

By Mr. Cahoon of Chatham, petition of Howard C. Cahoon, Jr., that provision be made for boating safety education for certain minors. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROVIDING FOR BOATING SAFETY EDUCATION FOR CERTAIN MINORS.

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. Chapter 90B of the General Laws is hereby
2 amended by adding after section 8 the following new section: —

3 *Section 8A.* (a) No person under sixteen years of age shall
4 operate a motorboat on the waters of the state without first obtain-
5 ing a boating safety certificate from the director evidencing suc-
6 cessful completion of a course in safe boat handling approved by
7 the director, unless such person operates such motorboat under the
8 supervision of his parent or guardian. The director shall effect a
9 plan for the training of persons under sixteen years of age in safe
10 boat handling and for the issuance of boating safety certificates.
11 The director may designate as his agent for giving such course and
12 issuing such certificates: The United States Coast Guard auxiliary,
13 the United States power squadron, or any other person or organi-
14 zation he deems qualified to act in this capacity.

15 (b) (1) The director may waive the requirement of such course of
16 instruction if he is satisfied that the applicant has sufficient expe-
17 rience and knowledge of safe boat handling to qualify for said
18 certificate, or has successfully completed a course of instruction in
19 safe boat handling prior to July 1, 1977, in this state or in another
20 state or jurisdiction, the requirements of which meet with the
21 director's approval, or upon the receipt of a written statement from
22 the parent or guardian of the applicant indicating that such appli-

23 cant has sufficient experience and knowledge of safe boat handling
24 to qualify for said certificate. (2) Notwithstanding the provisions of
25 this section, the director may enter into reciprocal agreements with
26 other states having similar certificate programs acceptable to the
27 Director. Any person who successfully completes a course of in-
28 struction in another state which has a reciprocal agreement with
29 the director may operate a motorboat on the waters of this state.

30 (c) No owner of a motorboat shall knowingly authorize or
31 permit any person under sixteen years of age who has not obtained
32 a boating safety certificate to operate such motorboat on the
33 waters of the state, unless such person operates such motorboat
34 under the supervision of his parent or guardian. The failure of any
35 such person to exhibit a boating safety certificate, upon demand by
36 any officer having authority to enforce the provisions of this
37 chapter, shall be prima facie evidence that such person has not
38 obtained such certificate.

39 (d) Any person who wilfully violates any provision of this sec-
40 tion shall be fined not more than fifty dollars for each such viola-
41 tion.

1 SECTION 2. This act shall take effect on January first, nine-
2 ten hundred and eighty-one.