

# HB5610



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5610

by Rep. David Reis

### SYNOPSIS AS INTRODUCED:

625 ILCS 45/1-2

from Ch. 95 1/2, par. 311-2

Amends the Boat Registration and Safety Act. Provides that inner tubes and float tubes are not considered watercraft for purposes of this Act. Effective immediately.

LRB098 17003 MLW 52086 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Boat Registration and Safety Act is amended  
5 by changing Section 1-2 as follows:

6 (625 ILCS 45/1-2) (from Ch. 95 1/2, par. 311-2)

7 Sec. 1-2. Definitions. As used in this Act, unless the  
8 context clearly requires a different meaning:

9 "Vessel" or "Watercraft" means every description of  
10 watercraft used or capable of being used as a means of  
11 transportation on water, except a seaplane on the water, inner  
12 tube, float tube, air mattress or similar device, and boats  
13 used for concession rides in artificial bodies of water  
14 designed and used exclusively for such concessions.

15 "Motorboat" means any vessel propelled by machinery,  
16 whether or not such machinery is the principal source of  
17 propulsion, but does not include a vessel which has a valid  
18 marine document issued by the Bureau of Customs of the United  
19 States Government or any Federal agency successor thereto.

20 "Non-powered watercraft" means any canoe, kayak,  
21 kiteboard, paddleboard, ~~float tube,~~ or watercraft not  
22 propelled by sail, canvas, or machinery of any sort.

23 "Sailboat" means any watercraft propelled by sail or

1 canvas, including sailboards. For the purposes of this Act, any  
2 watercraft propelled by both sail or canvas and machinery of  
3 any sort shall be deemed a motorboat when being so propelled.

4 "Airboat" means any boat (but not including airplanes or  
5 hydroplanes) propelled by machinery applying force against the  
6 air rather than the water as a means of propulsion.

7 "Dealer" means any person who engages in the business of  
8 manufacturing, selling, or dealing in, on consignment or  
9 otherwise, any number of new watercraft, or 5 or more used  
10 watercraft of any make during the year, including any  
11 off-highway vehicle dealer or snowmobile dealer or a person  
12 licensed as a new or used vehicle dealer who also sells or  
13 deals in, on consignment or otherwise, any number of watercraft  
14 as defined in this Act.

15 "Lifeboat" means a small boat kept on board a larger boat  
16 for use in emergency.

17 "Owner" means a person, other than lien holder, having  
18 title to a motorboat. The term includes a person entitled to  
19 the use or possession of a motorboat subject to an interest in  
20 another person, reserved or created by agreement and securing  
21 payment of performance of an obligation, but the term excludes  
22 a lessee under a lease not intended as security.

23 "Waters of this State" means any water within the  
24 jurisdiction of this State.

25 "Person" means an individual, partnership, firm,  
26 corporation, association, or other entity.

1 "Operate" means to navigate or otherwise use a motorboat or  
2 vessel.

3 "Department" means the Department of Natural Resources.

4 "Competent" means capable of assisting a skier in case of  
5 injury or accident.

6 "Personal flotation device" or "PFD" means a device that is  
7 approved by the Commandant, U.S. Coast Guard, under Part 160 of  
8 Title 46 of the Code of Federal Regulations.

9 "Recreational boat" means any vessel manufactured or used  
10 primarily for noncommercial use; or leased, rented or chartered  
11 to another for noncommercial use.

12 "Personal watercraft" means a vessel that uses an inboard  
13 motor powering a water jet pump as its primary source of motor  
14 power and that is designed to be operated by a person sitting,  
15 standing, or kneeling on the vessel, rather than the  
16 conventional manner of sitting or standing inside the vessel,  
17 and includes vessels that are similar in appearance and  
18 operation but are powered by an outboard or propeller drive  
19 motor.

20 "Specialty prop-craft" means a vessel that is similar in  
21 appearance and operation to a personal watercraft but that is  
22 powered by an outboard or propeller driven motor.

23 "Underway" applies to a vessel or watercraft at all times  
24 except when it is moored at a dock or anchorage area.

25 "Use" applies to all vessels on the waters of this State,  
26 whether moored or underway.

1 (Source: P.A. 97-1136, eff. 1-1-13.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.