

AN ACT concerning government.

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

Section 5. The Boat Registration and Safety Act is amended by changing Sections 3-1, 3-2, 3-5, 3-9, 3-11, 3A-1, and 4-1 as follows:

(625 ILCS 45/3-1) (from Ch. 95 1/2, par. 313-1)

Sec. 3-1. Unlawful operation of unnumbered watercraft. Every watercraft other than non-powered watercraft on waters within the jurisdiction of this State shall be numbered. No person may operate, use, or store or give permission for the operation, usage, or storage of any such watercraft on such waters unless it has on board while in operation: ~~the~~ ~~watercraft is numbered~~

(A) A valid certificate of number is issued in accordance with this Act, or in accordance with applicable Federal law, or in accordance with a Federally-approved numbering system of another State, and unless:

(1) the pocket sized certificate of number awarded to such watercraft is in full force and effect; or

(2) the operator is in possession of a valid 60 day temporary permit under this Act., ~~and (2)~~

(B) The ~~the~~ identifying number set forth in the certificate

of number is displayed on each side of the bow of such watercraft.

The certificate of number, lease, or rental agreement required by this Section shall be available at all times for inspection at the request of a federal, State, or local law enforcement officer on the watercraft for which it is issued. No person shall operate a watercraft under this Section unless the certificate of number, lease, or rental agreement required is carried on board in a manner that it can be handed to a requesting law enforcement officer for inspection. A holder of a certificate of number shall notify the Department within 30 days if the holder's address no longer conforms to the address appearing on the certificate and shall furnish the Department with the holder's new address. The Department may provide for in its rules and regulations for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

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

(625 ILCS 45/3-2) (from Ch. 95 1/2, par. 313-2)

Sec. 3-2. Identification number application. The owner of each watercraft requiring numbering by this State shall file an application for number with the Department on forms approved by it. The application shall be signed by the owner of the

watercraft and shall be accompanied by a fee as follows:

- A. (Blank).
- B. Class 1 (all watercraft less than 16 feet in length, except non-powered watercraft.)up to \$28 ~~\$18~~
- C. Class 2 (all watercraft 16 feet or more but less than 26 feet in length except canoes, kayaks, and non-motorized paddle boats)up to \$60 ~~\$50~~
- D. Class 3 (all watercraft 26 feet or more but less than 40 feet in length)..... \$150
- E. Class 4 (all watercraft 40 feet in length or more) \$200

Upon receipt of the application in approved form, and when satisfied that no tax imposed pursuant to the "Municipal Use Tax Act" or the "County Use Tax Act" is owed, or that such tax has been paid, the Department shall enter the same upon the records of its office and issue to the applicant a certificate of number stating the number awarded to the watercraft and the name and address of the owner.

The Department shall deposit 20% of all money collected from watercraft registrations into the Conservation Police Operations Assistance Fund. The monies deposited into the Conservation Police Operations Assistance Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

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

(625 ILCS 45/3-5) (from Ch. 95 1/2, par. 313-5)

Sec. 3-5. Transfer of Identification Number. The purchaser of a watercraft shall, within 15 days after acquiring same, make application to the Department for transfer to him of the certificate of number issued to the watercraft giving his name, address and the number of the boat. The purchaser shall apply for a transfer-renewal for a fee as prescribed under Section 3-2 of this Act for approximately 3 years. All transfers will bear September 30 ~~June 30~~ expiration dates in the calendar year of expiration. Upon receipt of the application and fee, together with proof that any tax imposed under the Municipal Use Tax Act or County Use Tax Act has been paid or that no such tax is owed, the Department shall transfer the certificate of number issued to the watercraft to the new owner.

Unless the application is made and fee paid, and proof of payment of municipal use tax or county use tax or nonliability therefor is made, within 30 days, the watercraft shall be deemed to be without certificate of number and it shall be unlawful for any person to operate the watercraft until the certificate is issued.

Non-powered watercraft are exempt from this Section.

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

(625 ILCS 45/3-9) (from Ch. 95 1/2, par. 313-9)

Sec. 3-9. Certificate of Number. Every certificate of number awarded pursuant to this Act shall continue in full force and effect for approximately 3 years unless sooner terminated or discontinued in accordance with this Act. All new certificates issued will bear September 30 ~~June 30~~ expiration dates in the calendar year 3 years after the issuing date. Provided however, that the Department may, for purposes of implementing this Section, adopt rules for phasing in the issuance of new certificates and provide for 1, 2 or 3 year expiration dates and pro-rated payments or charges for each registration.

All certificates shall be renewed for 3 years from the nearest September 30 ~~June 30~~ for a fee as prescribed in Section 3-2 of this Act. All certificates will be invalid after October 15 ~~July 15~~ of the year of expiration. All certificates expiring in a given year shall be renewed between January 1 and September 30 ~~June 30~~ of that year, in order to allow sufficient time for processing.

The Department shall issue "registration expiration decals" with all new certificates of number, all certificates of number transferred and renewed and all certificates of number renewed. The decals issued for each year shall be of a different and distinct color from the decals of each other year currently displayed. The decals shall be affixed to each side of the bow of the watercraft, except for federally documented vessels, in the manner prescribed by the rules and regulations

of the Department. Federally documented vessels shall have decals affixed to the watercraft on each side of the federally documented name of the vessel in the manner prescribed by the rules and regulations of the Department.

The Department shall fix a day and month of the year on which certificates of number due to expire shall lapse and no longer be of any force and effect unless renewed pursuant to this Act.

No number or registration expiration decal other than the number awarded or the registration expiration decal issued to a watercraft or granted reciprocity pursuant to this Act shall be painted, attached, or otherwise displayed on either side of the bow of such watercraft. A person engaged in the operation of a licensed boat livery shall pay a fee as prescribed under Section 3-2 of this Act for each watercraft used in the livery operation.

A person engaged in the manufacture or sale of watercraft of a type otherwise required to be numbered hereunder, upon application to the Department upon forms prescribed by it, may obtain certificates of number for use in the testing or demonstrating of such watercraft upon payment of \$10 for each registration. Certificates of number so issued may be used by the applicant in the testing or demonstrating of watercraft by temporary placement of the numbers assigned by such certificates on the watercraft so tested or demonstrated.

Non-powered watercraft are exempt from this Section.

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

(625 ILCS 45/3-11) (from Ch. 95 1/2, par. 313-11)

Sec. 3-11. Penalty. No person shall at any time falsely alter or change in any manner a certificate of number ~~or water usage stamp~~ issued under the provisions hereof, or falsify any record required by this Act, or counterfeit any form of license provided for by this Act.

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

(625 ILCS 45/3A-1) (from Ch. 95 1/2, par. 313A-1)

Sec. 3A-1. Certificate of title required.

(a) Every owner of a watercraft over 21 feet in length required to be numbered by this State and for which no certificate of title has been issued by the Department of Natural Resources shall make application to the Department of Natural Resources for a certificate of title either before or at the same time he next applies for issuance, transfer or renewal of a certificate of number. All watercraft already covered by a number in full force and effect which has been awarded to it pursuant to Federal law is exempt from titling requirements in this Act.

(b) The Department shall not issue, transfer or renew a certificate of number unless a certificate of title has been issued by the Department of Natural Resources or an application for a certificate of title has been delivered to the

Department.

(Source: P.A. 89-445, eff. 2-7-96.)

(625 ILCS 45/4-1) (from Ch. 95 1/2, par. 314-1)

Sec. 4-1. Personal flotation devices.

A. No person may operate a watercraft unless at least one U.S. Coast Guard approved PFD ~~of the following types or their equivalent~~ is on board, so placed as to be readily available for each person: ~~Type I, Type II or Type III.~~

B. No person may operate a personal watercraft or specialty prop-craft unless each person aboard is wearing a ~~Type I, Type II, Type III or Type V~~ PFD approved by the United States Coast Guard. No person on board a personal watercraft shall use an inflatable PFD in order to meet the PFD requirements of subsection A of this Section.

C. No person may operate a watercraft 16 feet or more in length, except a canoe or kayak, unless at least one readily accessible United States ~~Type IV U.S.~~ Coast Guard approved throwable PFD is on board ~~or its equivalent is on board in addition to the PFD's required in paragraph A of this Section.~~

D. (Blank). ~~A U.S. Coast Guard approved Type V personal flotation device may be carried in lieu of the Type I, II, III or IV personal flotation device required in this Section, if the Type V personal flotation device is approved for the activity in which it is being used.~~

E. When assisting a person on waterskis, aquaplane or

similar device, there must be one wearable United States U.S. Coast Guard approved PFD on board the watercraft for each person being assisted or towed or worn by the person being assisted or towed.

F. No person may operate a watercraft unless each device required by this Section is:

1. in serviceable condition ~~Readily accessible;~~
2. identified by a label bearing a description and approval number demonstrating that the device has been approved by the United States Coast Guard ~~In serviceable condition;~~
3. of ~~of~~ the appropriate size for the person for whom it is intended; and
4. in the case of a wearable PFD, readily accessible aboard the watercraft; ~~Legibly marked with the U.S. Coast Guard approval number.~~
5. in case of a throwabale PFD, immediately available for use;
6. out of its original packaging; and
7. not stowed under lock and key.

G. Approved personal flotation devices are defined as a device that is approved by the United States Coast Guard under Title 46 CFR Part 160. ~~follows:~~

~~Type I — A Type I personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or~~

~~slightly backward position and to have more than 20 pounds of buoyancy.~~

~~Type II - A Type II personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have at least 15 1/2 pounds of buoyancy.~~

~~Type III - A Type III personal flotation device is an approved device designed to keep a conscious person in a vertical or slightly backward position and to have at least 15 1/2 pounds of buoyancy.~~

~~Type IV - A Type IV personal flotation device is an approved device designed to be thrown to a person in the water and not worn. It is designed to have at least 16 1/2 pounds of buoyancy.~~

~~Type V - A Type V personal flotation device is an approved device for restricted use and is acceptable only when used in the activity for which it is approved.~~

H. (Blank). ~~The provisions of subsections A through G of this Section shall not apply to sailboards.~~

I. No person may operate a watercraft under 26 feet in length unless an approved and appropriate sized United States Coast Guard ~~a Type I, Type II, Type III, or Type V~~ personal flotation device is being properly worn by each person under the age of 13 on board the watercraft at all times in which the watercraft is underway; however, this requirement shall not

apply to persons who are below decks or in totally enclosed cabin spaces. The provisions of this subsection I shall not apply to a person operating a watercraft on an individual's private property.

J. Racing shells, rowing sculls, racing canoes, and racing kayaks are exempt from the PFD, of any type, carriage requirements under this Section provided that the racing shell, racing scull, racing canoe, or racing kayak is participating in an event sanctioned by the Department as a PFD optional event. The Department may adopt rules to implement this subsection.

(Source: P.A. 97-801, eff. 1-1-13; 98-567, eff. 1-1-14.)

(625 ILCS 45/3-1.5 rep.)

(625 ILCS 45/3-7.5 rep.)

Section 10. The Boat Registration and Safety Act is amended by repealing Sections 3-1.5 and 3-7.5.