



Sen. Julie A. Morrison

Filed: 3/10/2025

10400SB2019sam001

LRB104 11504 LNS 23576 a

1 AMENDMENT TO SENATE BILL 2019

2 AMENDMENT NO. _____. Amend Senate Bill 2019 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Boat Registration and Safety Act is
5 amended by changing Section 5-18 as follows:

6 (625 ILCS 45/5-18) (from Ch. 95 1/2, par. 315-13)

7 Sec. 5-18. (a) Beginning on January 1, 2016, no person
8 born on or after January 1, 1998, unless exempted by
9 subsection (i), shall operate a motorboat with over 10 horse
10 power unless that person has a valid Boating Safety
11 Certificate issued by the Department of Natural Resources or
12 an entity or organization recognized and approved by the
13 Department.

14 (b) No person under 10 years of age may operate a
15 motorboat.

16 (c) Prior to January 1, 2016, persons at least 10 years of

1 age and less than 12 years of age may operate a motorboat with
2 over 10 horse power only if they are accompanied on the
3 motorboat and under the direct control of a parent or guardian
4 or a person at least 18 years of age designated by a parent or
5 guardian. Beginning on January 1, 2016, persons at least 10
6 years of age and less than 12 years of age may operate a
7 motorboat with over 10 horse power only if the person is under
8 the direct on-board supervision of a parent or guardian who
9 meets the requirements of subsection (a) or a person at least
10 18 years of age who meets the requirements of subsection (a)
11 and is designated by a parent or guardian.

12 (d) Prior to January 1, 2016, persons at least 12 years of
13 age and less than 18 years of age may operate a motorboat with
14 over 10 horse power only if they are accompanied on the
15 motorboat and under the direct control of a parent or guardian
16 or a person at least 18 years of age designated by a parent or
17 guardian, or the motorboat operator is in possession of a
18 Boating Safety Certificate issued by the Department of Natural
19 Resources, Division of Law Enforcement, authorizing the holder
20 to operate motorboats. Beginning on January 1, 2016, persons
21 at least 12 years and less than 18 years of age may operate a
22 motorboat with over 10 horse power only if the person meets the
23 requirements of subsection (a) or is under the direct on-board
24 supervision of a parent or guardian who meets the requirements
25 of subsection (a) or a person at least 18 years of age who
26 meets the requirements of subsection (a) and is designated by

1 a parent or guardian.

2 (e) Beginning January 1, 2016, the owner of a motorboat or
3 a person given supervisory authority over a motorboat shall
4 not permit a motorboat with over 10 horse power to be operated
5 by a person who does not meet the Boating Safety Certificate
6 requirements of this Section.

7 (f) Licensed boat liveries shall offer abbreviated
8 operating and safety instruction covering core boat safety
9 rules to all renters, unless the renter can demonstrate
10 compliance with the Illinois Boating Safety Certificate
11 requirements of this Section, or is exempt under subsection
12 (i) of this Section. A person who completes abbreviated
13 operating and safety instruction may operate a motorboat
14 rented from the livery providing the abbreviated operating and
15 safety instruction without having a Boating Safety Certificate
16 for up to one year from the date of instruction. The Department
17 shall adopt rules to implement this subsection.

18 (g) Violations.

19 (1) A person who is operating a motorboat with over 10
20 horse power and is required to have a valid Boating Safety
21 Certificate under the provisions of this Section shall
22 present the certificate to a law enforcement officer upon
23 request. Failure of the person to present the certificate
24 upon request is a petty offense.

25 (2) A person who provides false or fictitious
26 information in an application for a Boating Safety

1 Certificate; or who alters, forges, counterfeits, or
2 falsifies a Boating Safety Certificate; or who possesses a
3 Boating Safety Certificate that has been altered, forged,
4 counterfeited, or falsified is guilty of a Class A
5 misdemeanor.

6 (3) A person who loans or permits his or her Boating
7 Safety Certificate to be used by another person or who
8 operates a motorboat with over 10 horse power using a
9 Boating Safety Certificate that has not been issued to
10 that person is guilty of a Class A misdemeanor.

11 (4) A violation of this Section done with the
12 knowledge of a parent or guardian shall be deemed a
13 violation by the parent or guardian and punishable under
14 Section 11A-1.

15 (h) The Department of Natural Resources shall establish a
16 program of instruction on boating safety, laws, regulations
17 and administrative laws, and any other subject matter which
18 might be related to the subject of general boat safety. The
19 program shall be conducted by instructors certified by the
20 Department of Natural Resources. The course of instruction for
21 persons certified to teach boating safety shall be not less
22 than 8 hours in length, and the Department shall have the
23 authority to revoke the certification of any instructor who
24 has demonstrated his inability to conduct courses on the
25 subject matter. The Department of Natural Resources shall
26 develop and provide a method for students to complete the

1 program online. Students satisfactorily completing a program
2 of not less than 8 hours in length shall receive a certificate
3 of safety from the Department of Natural Resources. The
4 Department may cooperate with schools, online vendors, private
5 clubs and other organizations in offering boating safety
6 courses throughout the State of Illinois.

7 The Department shall issue certificates of boating safety
8 to persons 10 years of age or older successfully completing
9 the prescribed course of instruction and passing such tests as
10 may be prescribed by the Department. The Department may charge
11 each person who enrolls in a course of instruction a fee not to
12 exceed \$5. If a fee is authorized by the Department, the
13 Department shall authorize instructors conducting such courses
14 meeting standards established by it to charge for the rental
15 of facilities or for the cost of materials utilized in the
16 course. Fees retained by the Department shall be utilized to
17 defray a part of its expenses to operate the safety and
18 accident reporting programs of the Department.

19 (i) A Boating Safety Certificate is not required by:

20 (1) a person who possesses a valid United States Coast
21 Guard commercial vessel operator's license or a marine
22 certificate issued by the Canadian government;

23 (2) a person employed by the United States, this
24 State, another state, or a subdivision thereof while in
25 performance of his or her official duties;

26 (3) a person who is not a resident, is temporarily

1 using the waters of this State for a period not to exceed
2 90 days, and meets any applicable boating safety education
3 requirements of his or her state of residency or possesses
4 a Canadian Pleasure Craft Operator's Card;

5 (4) a person who is a resident of this State who has
6 met the applicable boating safety education requirements
7 of another state or possesses a Canadian Pleasure Craft
8 Operator's Card;

9 (5) a person who has assumed operation of the
10 motorboat due to the illness or physical impairment of the
11 operator, and is returning the motorboat or personal
12 watercraft to shore in order to provide assistance or care
13 for that operator;

14 (6) a person who is registered as a commercial
15 fisherman or a person who is under the onboard direct
16 supervision of the commercial fisherman while operating
17 the commercial fisherman's vessel;

18 (7) a person who is serving or has qualified as a
19 surface warfare officer or enlisted surface warfare
20 specialist in the United States Navy;

21 (8) a person who has assumed operation of the
22 motorboat for the purpose of completing a watercraft
23 safety course approved by the Department, the U.S. Coast
24 Guard, or the National Association of State Boating Law
25 Administrators;

26 (9) (blank) ~~a person using only an electric motor to~~

1 ~~propel the motorboat;~~

2 (10) a person operating a motorboat on private
3 property;

4 (11) a person over the age of 12 years who holds a
5 valid certificate issued by another state, a province of
6 the Dominion of Canada, the United States Coast Guard
7 Auxiliary or the United States Power Squadron need not
8 obtain a certificate from the Department if the course
9 content of the program in such other state, province or
10 organization substantially meets that established by the
11 Department under this Section. A certificate issued by the
12 Department or by another state, province of the Dominion
13 of Canada or approved organization shall not constitute an
14 operator's license, but shall certify only that the
15 student has successfully passed a course in boating safety
16 instruction; or

17 (12) a person who is temporarily using the waters of
18 this State for the purpose of participating in a boat
19 racing event sanctioned by the Department of Natural
20 Resources or authorized federal agency. The organizer or
21 holder of the sanctioned event shall possess liability
22 insurance for property damage and bodily injury or death
23 with a minimum benefit of \$1,000,000 that shall remain in
24 effect through the entirety of the event.

25 (j) The Department of Natural Resources shall adopt rules
26 necessary to implement this Section. The Department of Natural

1 Resources shall consult and coordinate with the boating
2 public, professional organizations for recreational boating
3 safety, and the boating retail, leasing, and dealer business
4 community in the adoption of these rules.

5 (Source: P.A. 98-698, eff. 1-1-15; 99-78, eff. 7-20-15;
6 99-526, eff. 7-8-16.)".