

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 adding Section 5-24 as follows:

6 (625 ILCS 45/5-24 new)

7 Sec. 5-24. Mandatory liability insurance.

8 (a) It is unlawful for the owner of a motorboat of more
9 than 50 horsepower, a motorboat over 21 feet long, or a
10 personal watercraft to operate or allow the operation of the
11 motorboat or personal watercraft unless it is covered by a
12 liability insurance policy that has been issued by an
13 insurance company licensed in this State. The insurance policy
14 shall be issued in amounts no less than the minimum amounts set
15 for bodily injury or death and for destruction of property
16 under Section 7-203 of the Illinois Vehicle Code, and shall be
17 issued in accordance with the requirements of Sections 143a
18 and 143a-2 of the Illinois Insurance Code. No insurer other
19 than an insurer authorized to do business in this State shall
20 issue a policy pursuant to this Section. Nothing herein shall
21 deprive an insurer of any policy defense available at common
22 law.

23 (b) Proof of insurance as required by this Section shall

1 be produced and displayed by the owner or operator of the
2 motorboat or personal watercraft upon request to any law
3 enforcement officer or to any person who has suffered or
4 claims to have suffered either personal injury or property
5 damage as a result of the operation of the motorboat or
6 personal watercraft by the owner or operator.

7 (c) Except as provided in subsection (d), any operator of
8 a motorboat or personal watercraft subject to registration and
9 numbering under this Act who is convicted of violating
10 subsection (a) is guilty of a petty offense and shall be
11 required to pay a fine in excess of \$500, but not more than
12 \$1,000. However, no person charged with violating this Section
13 shall be convicted if such person produces in court
14 satisfactory evidence that at the time of the arrest the
15 motorboat or personal watercraft was covered by a liability
16 insurance policy in accordance with subsection (a). The chief
17 judge of each circuit may designate an officer of the court to
18 review the documentation demonstrating that at the time of
19 arrest the motorboat or personal watercraft was covered by a
20 liability insurance policy in accordance with subsection (a).

21 (d) A person who (i) has not previously been convicted of
22 or received a disposition of court supervision for violating
23 subsection (a) and (ii) produces at his or her court
24 appearance satisfactory evidence that the motorboat or
25 personal watercraft is covered, as of the date of the court
26 appearance, by a liability insurance policy in accordance with

1 Section 7-601 of the Illinois Vehicle Code shall, for a
2 violation of this Section, pay a fine of \$100 and receive a
3 disposition of court supervision. The person must, on the date
4 that the period of court supervision is scheduled to
5 terminate, produce satisfactory evidence that the motorboat or
6 personal watercraft was covered by the required liability
7 insurance policy during the entire period of court
8 supervision.

9 An officer of the court designated under subsection (c)
10 may also review liability insurance documentation under this
11 subsection to determine if the motorboat or personal
12 watercraft is, as of the date of the court appearance, covered
13 by a liability insurance policy in accordance with Section
14 7-601 of the Illinois Vehicle Code. The officer of the court
15 shall also determine, on the date the period of court
16 supervision is scheduled to terminate, whether the motorboat
17 or personal watercraft was covered by the required policy
18 during the entire period of court supervision.