



Sen. Pamela J. Althoff

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09800SB3433sam001

LRB098 20183 MLW 57359 a

1 AMENDMENT TO SENATE BILL 3433

2 AMENDMENT NO. _____. Amend Senate Bill 3433 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Boat Registration and Safety Act is amended
5 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. Boating safety requirements.

8 (a) No person shall operate a motorboat or personal
9 watercraft on the waters of this State unless the operator
10 meets one of the following boating safety requirements:

11 (1) possesses a valid Boating Safety Certificate
12 issued by the Department under subsection (e) of this
13 Section;

14 (2) possesses a valid license to operate a vessel
15 issued to maritime personnel by the United States Coast
16 Guard or a marine certificate issued by the Canadian

1 government;

2 (3) possesses a rental or lease agreement from a
3 motorboat or personal watercraft rental or leasing
4 business, which lists the person as the authorized operator
5 of the motorboat or personal watercraft;

6 (4) operates the motorboat or personal watercraft
7 under the onboard direct supervision of a person who meets
8 the requirements of this Section;

9 (5) demonstrates that he or she is not a resident, is
10 temporarily using the waters of this State for a period not
11 to exceed 90 days, and meets any applicable boating safety
12 education requirements of his or her state of residency or
13 possesses a Canadian Pleasure Craft Operator's Card;

14 (6) has assumed operation of the motorboat or personal
15 watercraft due to the illness or physical impairment of the
16 operator, and is returning the motorboat or personal
17 watercraft to shore in order to provide assistance or care
18 for that operator;

19 (7) is registered as a commercial fisherman or a person
20 who is under the onboard direct supervision of the
21 commercial fisherman while operating the commercial
22 fisherman's vessel; or

23 (8) possesses documentation that he or she is serving
24 or has qualified as a surface warfare officer or enlisted
25 surface warfare specialist in the United States Navy.

26 (b) In addition to the boating safety requirements of

1 subsection (a) of this Section:

2 (1) no ~~No~~ person under 10 years of age may operate a
3 motorboat; ~~and~~.

4 (2) persons ~~Persons~~ at least 10 years of age and less
5 than 12 years of age may operate a motorboat ~~only~~ if they
6 are accompanied on the motorboat and under the direct
7 control of a parent or guardian who meets the requirements
8 of subsection (a) of this Section or a person at least 18
9 years of age who meets the requirements of subsection (a)
10 of this Section designated by a parent or guardian; ~~and~~.

11 (3) persons ~~Persons~~ at least 12 years of age and less
12 than 18 years of age may operate a motorboat ~~only~~ if they
13 are accompanied on the motorboat and under the direct
14 control of a parent or guardian who meets the requirements
15 of subsection (a) of this Section or a person at least 18
16 years of age who meets the requirements of subsection (a)
17 of this Section designated by a parent or guardian, or the
18 ~~such~~ motorboat operator is in possession of a Boating
19 Safety Certificate issued by the Department of Natural
20 Resources, ~~Division of Law Enforcement,~~ authorizing the
21 holder to operate motorboats.

22 Violations of this subsection ~~Section~~ done with the
23 knowledge of a parent or guardian shall be deemed a violation
24 by the parent or guardian and punishable under Section 11A-1.

25 (c) Any person who operates a motorboat or personal
26 watercraft on the waters of this State shall, upon the request

1 of a law enforcement officer, present to the officer evidence
2 that he or she is in compliance with the requirements of this
3 Section.

4 (d) The boating safety requirements of this Section shall
5 apply as follows:

6 (1) personal watercraft operators under 21 years of age
7 shall meet the requirements on and after July 1, 2017;

8 (2) personal watercraft operators at least 21 but under
9 36 years of age shall meet the requirements on and after
10 July 1, 2018;

11 (3) personal watercraft operators at least 36 but under
12 51 years of age shall meet the requirements on and after
13 July 1, 2019;

14 (4) personal watercraft operators 51 years of age or
15 older shall meet the requirements on and after July 1,
16 2020;

17 (5) motorboat operators under 21 years of age shall
18 meet the requirements on and after July 1, 2019;

19 (6) motorboat operators at least 21 but under 31 years
20 of age shall meet the requirements on and after July 1,
21 2020;

22 (7) motorboat operators at least 31 but under 41 years
23 of age shall meet the requirements on and after July 1,
24 2021;

25 (8) motorboat operators at least 41 but under 46 years
26 of age shall meet the requirements on and after July 1,

1 2022;

2 (9) motorboat operators at least 46 but under 51 years
3 of age shall meet the requirements on and after July 1,
4 2023; and

5 (10) motorboat operators 51 years of age or older shall
6 meet the requirements on and after July 1, 2024.

7 (e) The Department of Natural Resources, ~~Division of Law~~
8 ~~Enforcement,~~ shall establish a program of instruction on
9 boating safety, laws, regulations and administrative laws, and
10 any other subject matter which might be related to the subject
11 of general boat safety that meets standards set by the National
12 Association of State Boating Law Administrators. The program
13 shall be conducted by instructors certified by the Department
14 of Natural Resources, ~~Division of Law Enforcement.~~ The course
15 of instruction for persons certified to teach boating safety
16 shall be not less than 8 hours in length, and the Department
17 shall have the authority to revoke the certification of any
18 instructor who has demonstrated his inability to conduct
19 courses on the subject matter. Students satisfactorily
20 completing a program of not less than 8 hours in length shall
21 receive a Boating Safety Certificate ~~certificate of safety~~ from
22 the Department of Natural Resources, ~~Division of Law~~
23 ~~Enforcement.~~ The Department may cooperate with schools,
24 private clubs, and other organizations in offering boating
25 safety courses throughout the State of Illinois. The Department
26 may approve boating safety education courses offered online

1 through an Internet website provided these online courses meet
2 standards adopted by the Department and the National
3 Association of State Boating Law Administrators.

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

17 A person over the age of 12 years who holds a valid
18 certificate issued by another state, a province of the Dominion
19 of Canada, the United States Coast Guard Auxiliary or the
20 United States Power Squadron need not obtain a Boating Safety
21 Certificate ~~certificate~~ from the Department if the course
22 content of the program in the ~~such~~ other state, province, or
23 organization substantially meets that established by the
24 Department under this Section. A Boating Safety Certificate
25 ~~certificate~~ issued by the Department or by another state,
26 province of the Dominion of Canada, or approved organization

1 shall not constitute an operator's license, but shall certify
2 only that the student has successfully passed a course in
3 boating safety instruction.

4 (f) The provisions of this Section shall not apply to law
5 enforcement officers while they are engaged in the performance
6 of their official duties.

7 (g) The Department of Natural Resources, ~~Division of Law~~
8 ~~Enforcement,~~ shall adopt rules necessary to implement and
9 ~~enforce the provisions of~~ this Section. The Department of
10 Natural Resources shall consult and coordinate with the boating
11 public, professional organizations for recreational boating
12 safety, and the boating retail, leasing, and dealer business
13 community in the adoption of these rules.

14 (h) Any person who violates this Section shall be subject
15 to a civil penalty of \$100.

16 (Source: P.A. 91-357, eff. 7-29-99.)

17 Section 99. Effective date. This Act takes effect January
18 1, 2015."