

**HOUSE . . . . . No. 729**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James M. Murphy*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to boater safety education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/14/2015</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>9/3/2019</i>

**HOUSE . . . . . No. 729**

By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 729) of James M. Murphy and Bruce J. Ayers relative to boater safety education. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to boater safety education.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Massachusetts General Law Chapter 90B is amended by adding the following sections  
2           5d Certificate of Boating Safety Education.

3           No person shall operate a motorized vessel with any type of power motor or any non-  
4 motorized vessel over fifteen feet in length on the public waters of the Commonwealth of  
5 Massachusetts without first obtaining a certificate of boating safety education to operate on  
6 Commonwealth of Massachusetts waterways in accordance with this section.

7           Said certificate of boating safety issued upon successful completion of training provided  
8 by either the United States Coast Guard/ United States Coast Guard Auxiliary through their  
9 Boating Skills and Seamanship Course or the United States Power Squadron through its  
10 Americas Boating Course or United States Coast Guard approved training courses offered by  
11 Massachusetts Harbor Masters.

12           5e Possession Required; Penalty.

13           I. Any person required to have a Certificate of Boating Safety Education shall:

14           (a) Possess the certificate when operating a motorized vessel with any type of power  
15 motor or any non-motorized vessel over fifteen feet in length on the public waters of the  
16 Commonwealth of Massachusetts.

17           (b) Present the certificate upon the demand of a marine patrol officer.

18           II. No person charged with a violation of this section shall be convicted if, within a period  
19 of forty eight (48) hours, the person presents to the officer evidence that he or she held a valid  
20 Certificate of Boating Safety Education which was in effect at the time of the violation.

21           III. Enforcement of this section shall be accomplished only as a secondary action when  
22 an operator of a motorized or registered vessel has been cited, charged with, or issued a written  
23 warning for a violation or some other offense or as a primary action when an operator is involved  
24 in an accident.

25           IV. Any person who violates this section shall be guilty of a violation punishable by a  
26 fine of \$50 for a first offense and \$250 for any subsequent offense.

27           V. Chapter 90b, Sections 5d and 5e shall become effective (3) three years after passage.