



Sen. Julie A. Morrison

Filed: 3/12/2013

09800SB1478sam001

LRB098 10151 MLW 42698 a

1 AMENDMENT TO SENATE BILL 1478

2 AMENDMENT NO. _____. Amend Senate Bill 1478 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.

8 (a) Beginning on January 1, 2015, no person born on or
9 after January 1, 1990, unless exempted by subsection (h), shall
10 operate a watercraft unless that person has a valid Boating
11 Safety Certificate issued by the Department of Natural
12 Resources or an entity or organization recognized and approved
13 by the Department.

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

16 (c) Prior to January 1, 2015, persons ~~Persons~~ at least 10

1 years of age and less than 12 years of age may operate a
2 watercraft ~~motorboat~~ only if they are accompanied on the
3 watercraft ~~motorboat~~ and under the direct control of a parent
4 or guardian or a person at least 18 years of age designated by
5 a parent or guardian. Beginning on January 1, 2015, persons at
6 least 10 years of age and less than 12 years of age may operate
7 a watercraft only if the person is under the direct on-board
8 supervision of a parent or guardian who meets the requirements
9 of subsection (a) or a person at least 18 years of age who
10 meets the requirements of subsection (a) and is designated by a
11 parent or guardian.

12 (d) Prior to January 1, 2015, persons ~~Persons~~ at least 12
13 years of age and less than 18 years of age may operate a
14 watercraft ~~motorboat~~ only if they are accompanied on the
15 watercraft ~~motorboat~~ and under the direct control of a parent
16 or guardian or a person at least 18 years of age designated by
17 a parent or guardian, or the watercraft ~~such motorboat~~ operator
18 is in possession of a Boating Safety Certificate issued by the
19 Department of Natural Resources, Division of Law Enforcement,
20 authorizing the holder to operate watercrafts ~~motorboats~~.
21 Beginning on January 1, 2015, persons at least 12 years and
22 less than 18 years of age may operate a watercraft only if the
23 person meets the requirements of subsection (a) or is under the
24 direct on-board supervision of a parent or guardian who meets
25 the requirements of subsection (a) or a person at least 18
26 years of age who meets the requirements of subsection (a) and

1 is designated by a parent or guardian.

2 (e) Beginning January 1, 2015, the owner of a watercraft or
3 a person given supervisory authority over a watercraft shall
4 not permit a watercraft to be operated by a person not
5 possessing a valid Boating Safety Certificate as required by
6 this Section.

7 (f) Violations.

8 (1) A person who is operating a watercraft and is
9 required to have a valid Boating Safety Certificate under
10 the provisions of this Section shall present the
11 certificate to a law enforcement officer upon request.
12 Failure of the person to present the certificate upon
13 request is a petty offense.

14 (2) A person who provides false or fictitious
15 information in an application for a Boating Safety
16 Certificate; or who alters, forges, counterfeits, or
17 falsifies a Boating Safety Certificate; or who possesses a
18 Boating Safety Certificate that has been altered, forged,
19 counterfeited, or falsified is guilty of a Class A
20 misdemeanor.

21 (3) A person who loans or permits their Boating Safety
22 Certificate to be used by another person; or who operates a
23 motorboat using a Boating Safety Certificate that has not
24 been issued to that person is guilty of a Class A
25 misdemeanor.

26 (4) Violations of this Section done with the knowledge

1 of a parent or guardian shall be deemed a violation by the
2 parent or guardian and punishable under Section 11A-1.

3 (g) The Department of Natural Resources, ~~Division of Law~~
4 ~~Enforcement~~, shall establish a program of instruction on
5 boating safety, laws, regulations and administrative laws, and
6 any other subject matter which might be related to the subject
7 of general boat safety. The program shall be conducted by
8 instructors certified by the Department of Natural Resources, ~~7~~
9 ~~Division of Law Enforcement~~. The course of instruction for
10 persons certified to teach boating safety shall be not less
11 than 8 hours in length, and the Department shall have the
12 authority to revoke the certification of any instructor who has
13 demonstrated his inability to conduct courses on the subject
14 matter. Students satisfactorily completing a program of not
15 less than 8 hours in length shall receive a certificate of
16 safety from the Department of Natural Resources, ~~Division of~~
17 ~~Law Enforcement~~. The Department may cooperate with schools,
18 private clubs and other organizations in offering boating
19 safety courses throughout the State of Illinois.

20 The Department shall issue certificates of boating safety
21 to persons 10 years of age or older successfully completing the
22 prescribed course of instruction and passing such tests as may
23 be prescribed by the Department. The Department may charge each
24 person who enrolls in a course of instruction a fee not to
25 exceed \$5. If a fee is authorized by the Department, the
26 Department shall authorize instructors conducting such courses

1 meeting standards established by it to charge for the rental of
2 facilities or for the cost of materials utilized in the course.
3 Fees retained by the Department shall be utilized to defray a
4 part of its expenses to operate the safety and accident
5 reporting programs of the Department.

6 (h) A Boating Safety Certificate is not required by:

7 (1) a person who possesses a valid United States Coast
8 Guard commercial vessel operator's license;

9 (2) a person employed by the United States, this State,
10 another state, or a subdivision thereof while in
11 performance of their official duties; or

12 (3) a ~~A~~ person over the age of 12 years who holds a
13 valid certificate issued by another state, a province of
14 the Dominion of Canada, the United States Coast Guard
15 Auxiliary or the United States Power Squadron need not
16 obtain a certificate from the Department if the course
17 content of the program in such other state, province or
18 organization substantially meets that established by the
19 Department under this Section. A certificate issued by the
20 Department or by another state, province of the Dominion of
21 Canada or approved organization shall not constitute an
22 operator's license, but shall certify only that the student
23 has successfully passed a course in boating safety
24 instruction.

25 (i) The Department of Natural Resources may adopt rules
26 necessary to ~~, Division of Law Enforcement, shall implement and~~

1 ~~enforce the provisions of~~ this Section.

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