

House Bill 1256

By: Representatives Buckner of the 137th and Wilson of the 80th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to registration, operation, and sale of watercraft, so as
3 to require completion of a boater education program in order to operate and rent or lease
4 certain vessels; to provide for standards for such education program; to provide for the phase
5 in of certain requirements; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to registration, operation, and sale of watercraft, is amended by
11 revising Code Section 52-7-8.3, relating to operation of watercraft, identification, and
12 operation by minors, as follows:

13 "52-7-8.3.

14 (a) A person 16 years of age or older may operate any vessel or personal watercraft on any
15 of the waters of this state if such person has met the applicable requirements of Code
16 Section 52-7-22, and such person has in such vessel proper identification.

17 (b) A person 12 through 15 years of age may operate a personal watercraft or Class A
18 vessel on any of the waters of this state in compliance with the provisions of this article if
19 such person:

20 (1) Is accompanied by an adult 18 years of age or older who is authorized to operate such
21 vessel under the provisions of subsection (a) of this Code section; or

22 (2) Has completed a boating education ~~course approved by the department~~ program set
23 forth in Code Section 52-7-22.

24 (c) No person between 12 through 15 years of age may operate a Class 1, Class 2, or
25 Class 3 vessel.

26 (d) No person under the age of 12 years shall operate any Class 1, 2, or 3 vessel or any
 27 personal watercraft on any of the waters of this state, and no such person shall operate any
 28 Class A vessel utilizing mechanical means of propulsion exceeding 30 horsepower. Such
 29 person may operate a Class A vessel, other than a personal watercraft, utilizing mechanical
 30 means of propulsion not exceeding 30 horsepower only where such person is accompanied
 31 by an adult 18 years of age or older who is authorized to operate such vessel under the
 32 provisions of subsection (a) of this Code section.

33 (e) No person having ownership or control of a vessel shall permit another person to
 34 operate such vessel in violation of this Code section.

35 (f) No person shall rent, lease, or let for hire any vessel ten horsepower or more to any
 36 person under 16 years of age. ~~On and after July 1, 2014, a~~ A person 16 years of age or
 37 older may rent or lease any ~~vessel~~ personal watercraft or vessel utilizing mechanical means
 38 of ten horsepower or more if such person has completed a boating education course
 39 approved by the department program set forth in Code Section 52-7-22. This subsection
 40 shall not apply to any person licensed by the United States Coast Guard as a master of a
 41 vessel or a nonresident who has in his or her possession proof that he or she has completed
 42 a National Association of State Boating Law Administrators approved boater education
 43 course or equivalency examination from another state.

44 (g) As used in this Code section, the term:

45 (1) 'Accompanied by' means in the physical presence within the vessel of a person who
 46 is not under the influence of alcohol, toxic vapors, or drugs to a degree which would
 47 constitute a violation of Code Section 52-7-12 were such person operating the vessel.

48 (2) 'Personal watercraft' shall have the same meaning as set forth in Code Section
 49 52-7-8.2.

50 (3) 'Proper identification' shall have the same meaning as in subsection (d) of Code
 51 Section 3-3-23, relating to furnishing of alcoholic beverages."

52 SECTION 2.

53 Said article is further amended by revising Code Section 52-7-22, relating to comprehensive
 54 boating educational programs, required completion, and exception, as follows:

55 "52-7-22.

56 (a)(1) The department shall establish a comprehensive boating education program and
 57 may seek the cooperation of boatmen, the federal government, and other states. Such
 58 education program shall require successful completion of:

59 (A) A boating safety course similar to those approved by the National Association of
 60 State Boating Law Administrators or similar organization; or

61 (B) A boater safety standards test developed by the department.

