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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
- of the waters of this state if such person has met the applicable requirements of Code
- 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
- vessel on any of the waters of this state in compliance with the provisions of this article if
- such person:
- 20 (1) Is accompanied by an adult 18 years of age or older who is authorized to operate such
- 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
- 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.

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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
- 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
- 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
- person under 16 years of age. On and after July 1, 2014, a A person 16 years of age or
- 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
- shall not apply to any person licensed by the United States Coast Guard as a master of a
- 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
- 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
- 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
- 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. <u>Such</u>
- 58 <u>education program shall require successful completion of:</u>
- 59 (A) A boating safety course similar to those approved by the National Association of
- 60 <u>State Boating Law Administrators or similar organization; or</u>
- 61 (B) A boater safety standards test developed by the department.

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62 (2) The department may accept moneys made available under federal safety programs

- and may shall issue boating certificates to persons who complete courses in satisfy the
- boating education <u>requirements of this Code section</u>.
- 65 (b) Effective July 1, 2014, and except Except as otherwise provided by this chapter,
- anyone born on or after January 1, 1998, who operates any motorized vessel on the waters
- of this state shall complete a boating education course approved by the department prior
- to the operation of such vessel.
- 69 (c) Effective July 1, 2022, and except as otherwise provided by this chapter, anyone born
- on or after January 1, 1993, who operates any vessel utilizing mechanical means of
- 71 propulsion of ten horsepower or more on the waters of this state shall complete the boating
- 72 <u>education program described in subsection (a) of this Code section prior to the operation</u>
- of such vessel.
- 74 (d) Effective July 1, 2023, and except as otherwise provided by this chapter, anyone born
- on or after January 1, 1988, who operates any vessel utilizing mechanical means of
- 76 propulsion of ten horsepower or more on the waters of this state shall complete the boating
- 77 <u>education program described in subsection (a) of this Code section prior to the operation</u>
- of such vessel.
- 79 (e) Effective July 1, 2024, and except as otherwise provided by this chapter, anyone born
- 80 on or after January 1, 1983, who operates any vessel utilizing mechanical means of
- 81 propulsion of ten horsepower or more on the waters of this state shall complete the boating
- 82 <u>education program described in subsection (a) of this Code section prior to the operation</u>
- 83 <u>of such vessel.</u>
- 84 (f) Effective July 1, 2025, and except as otherwise provided by this chapter, anyone born
- 85 on or after January 1, 1978, who operates any vessel utilizing mechanical means of
- propulsion of ten horsepower or more on the waters of this state shall complete the boating
- 87 <u>education program described in subsection (a) of this Code section prior to the operation</u>
- 88 <u>of such vessel.</u>
- 89  $\frac{(c)(g)}{g}$  A person shall be exempt from the provisions of subsection (b) requirements of this
- 90 Code section if he or she is:
- 91 (1) Licensed by the United States Coast Guard as a master of a vessel;
- 92 (2) Operating such vessel on a private lake or pond; or
- 93 (3) A nonresident who has in his or her possession proof that he or she has completed a
- National Association of State Boating Law Administrators approved boater education
- ourse or the equivalency from another state."

96 **SECTION 3.** 

97 All laws and parts of laws in conflict with this Act are repealed.