

**HOUSE . . . . . No. 2745**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***James M. Murphy, (BY REQUEST)***

*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.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Matthias Mulvey*

*1st Norfolk*

*Bruce J. Ayers*

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By Mr. Murphy of Weymouth (by request), a petition (accompanied by bill, House, No. 2745) of Matthias Mulvey and Bruce J. Ayers relative to boater safety and certification. Transportation.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to boater safety.

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

1 SECTION 1: Chapter 90B of the General Laws as appearing in the 2014 official edition  
2 is hereby amended by adding the following:

3 Section 5d Certificate of Boating Safety Education.

4 No person shall operate a motorized vessel with any type of power motor or any non-  
5 motorized vessel including kayaks and canoes and similar type vessels on the public waters of  
6 the Commonwealth of Massachusetts without first obtaining a Certificate of Boating Safety  
7 Education to operate on Commonwealth of Massachusetts waterways in accordance with this  
8 section.

9 Said certificate of Boating Safety Education issued upon successful completion of  
10 training provided by either the United States Coast Guard/ United States Coast Guard Auxiliary  
11 through their Boating Skills and Seamanship Course or the United States Power Squadron

12 through its Americas Boating Course or United States Coast Guard approved training courses  
13 offered by Massachusetts Harbor Masters trained in education.

14 Section 5e Possession Required; Penalty.

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

16 (a) Possess the certificate when operating a motorized vessel with any type of power  
17 motor or any non-motorized vessel on the public waters of the Commonwealth of Massachusetts.

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

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

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