

No. 30. An act relating to operation of vessels on public waters.

(S.91)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 23 V.S.A. § 3312a is amended to read:

§ 3312a. OPERATION OF PERSONAL WATERCRAFT

- (a) A person under the age of 16 shall not operate a personal watercraft.
- (b) All persons operating or riding on a personal watercraft shall wear a Type I, II, or III United States Coast Guard approved personal flotation device.
- (c) Personal watercraft shall not be operated at any time ~~during the hours~~ between ~~one-half hour after~~ sunset and ~~one-half hour before~~ sunrise.
- (d) Every person operating a personal watercraft equipped by the manufacturer with a lanyard type engine cut-off switch shall attach the lanyard to his or her wrist, clothing, or personal flotation device as appropriate for the specific craft.

Sec. 2. 23 V.S.A. § 3311 is amended to read:

§ 3311. OPERATION OF VESSELS; PROHIBITED ACTS; AUTHORITY
OF LAW ENFORCEMENT OFFICERS

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(h) A law enforcement officer may stop and board any motorized vessel afloat on public waters of the state at any time to:

- (1) inspect its documents;
- (2) inspect the licenses and permits of the operator of the vessel; or

(3) conduct a safety inspection for required equipment.

(i) A law enforcement officer may make arrests for violations of this subchapter; may direct, control, and regulate vessel traffic; and may make reasonable orders in the enforcement of this subchapter. No person may knowingly fail or refuse to comply with any lawful order or direction of any law enforcement officer.

Sec. 3. 23 V.S.A. § 3317 is amended to read:

§ 3317. PENALTIES

(a) A person who violates any of the following sections of this title shall be subject to a fine of not more than \$50.00 for each violation:

- § 3303 unnumbered boat
- § 3305(a) unregistered boat
- § 3305(d) old registered certificate to be returned
- § 3305(e) compliance with federal motorboat ID system
- § 3305(h) change of address
- § 3305(i) incorrect number displayed on boat
- § 3305(j) temporary registration
- § 3305a(a) qualified person may operate
- § 3305a(c) underage operation
- § 3305(b) operating without boat certificate
- § 3306(a)-(d) lights and equipment

- § 3307a documented boat validation sticker
- § 3308 boat rental records
- § 3309 muffling device
- § 3311(c) distance requirements
- § 3311(d) under water historic preserve area
- § 3311(e) overloaded vessel
- § 3311(h)-(i) authority of law enforcement officer
- § 3312 rules between vessels
- § 3313(b) failing to file report
- § 3315(a) water ski observer
- § 3315(c) improper ski towing
- § 3316 boat races

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Sec. 4. 23 V.S.A. § 3327 is added to read:

§ 3327. RESPONSIBILITY TO FOLLOW LAWFUL ORDER OF LAW

ENFORCEMENT OFFICER

(a) A person while operating or in charge of a vessel shall, upon request by a law enforcement officer who reasonably suspects that the person has committed or is committing a violation of this subchapter, give his or her name, date of birth, and address and the name and address of the owner of the vessel.

(b) The operator of the vessel shall identify himself or herself upon request from a law enforcement officer and produce the registration certificate for the vessel if required. A person operating a vessel shall promptly and carefully stop when signaled to stop by a law enforcement officer wearing insignia which identifies the officer.

(c) A person who violates subsection (a) of this section shall be fined not more than \$300.00.

(d) A person who violates subsection (b) of this section shall be assessed a civil penalty of not more than \$250.00.

Sec. 5. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

(a) A judicial bureau is created within the judicial branch under the supervision of the supreme court.

(b) The judicial bureau shall have jurisdiction of the following matters:

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(17) Violations of 23 V.S.A. § 3327(d), relating to obeying a law enforcement officer while operating a vessel.

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Approved: May 21, 2009