

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1626 Session of
1999

INTRODUCED BY MELIO, JAMES, SOLOBAY, STERN, HARHAI, RAMOS,
YOUNGBLOOD, CAWLEY, TANGRETTI, M. COHEN, STEELMAN, BELARDI
AND ROONEY, JUNE 9, 1999

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JUNE 9, 1999

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, providing for personal watercraft safety, for the
3 successful completion of a personal watercraft education
4 course and for other requirements for the operation of
5 personal watercraft, for additional duties of the
6 Pennsylvania Fish and Boat Commission and for enforcement and
7 penalties.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Part III of Title 30 of the Pennsylvania
11 Consolidated Statutes is amended by adding a chapter to read:

12 CHAPTER 57

13 PERSONAL WATERCRAFT SAFETY

14 Sec.

15 5701. Definitions.

16 5702. Certificate required.

17 5703. Personal watercraft safety education.

18 5704. Certificate.

19 5705. Operation of personal watercraft.

20 5706. Order to take safety course.

1 § 5701. Definitions.

2 The following words and phrases when used in this chapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Personal watercraft." A vessel less than 16 feet in length
6 which:

7 (1) uses an internal combustion motor powering a water
8 jet pump as its primary source of motive propulsion; and

9 (2) is designed to be operated by a person sitting,
10 standing or kneeling rather than in the conventional manner
11 of boat operation.

12 § 5702. Certificate required.

13 It shall be unlawful for a person to operate or be a
14 passenger on board a personal watercraft on the waters of this
15 Commonwealth without possessing a valid certificate issued under
16 this chapter or without meeting the personal watercraft
17 operational requirements of this chapter. This certificate shall
18 be produced upon demand of a waterways conservation officer or
19 other law enforcement agent.

20 § 5703. Personal watercraft safety education.

21 The commission shall:

22 (1) Promulgate regulations that establish criteria for a
23 course of instruction in personal watercraft safety
24 education, specify the hours during which personal watercraft
25 may be operated and impose restrictions on towing waterskiers
26 or similar activities.

27 (2) Coordinate a Statewide program of personal
28 watercraft safety instruction and certification and ensure
29 that a course of personal watercraft safety is available in
30 each county wherever possible.

1 (3) Issue a wallet-size certificate of personal
2 watercraft safety to a person who passes a commission-
3 prescribed course in personal watercraft safety or qualifies
4 for an exemption.

5 (4) Approve alternative sources of instruction which may
6 include, but are not limited to, any political subdivision,
7 law enforcement agency, public or nonpublic school, firm,
8 group, association or natural person.

9 (5) Provide printed materials for persons taking the
10 course.

11 (6) Maintain records of certificates.

12 (7) Replace lost or destroyed certificates.

13 (8) Establish such fees as may be necessary to implement
14 and administer courses of instruction.

15 § 5704. Certificate.

16 The certificate of personal watercraft safety shall be valid
17 for a lifetime unless restricted under section 5706 (relating to
18 order to take safety course).

19 § 5705. Operation of personal watercraft.

20 (a) General rule.--An operator of a personal watercraft
21 shall meet the following requirements:

22 (1) Possess a certificate of personal watercraft safety.

23 (2) Be 16 years of age or older.

24 (b) Penalty.--A violation of this section constitutes a
25 summary offense punishable by a fine of \$100.

26 § 5706. Order to take safety course.

27 (a) Order.--The commission may order a person to
28 successfully complete a course in personal watercraft safety in
29 the following situations:

30 (1) Where a person is convicted of two water safety

1 violations within any two-year period.

2 (2) Where a person is convicted of violating any of the
3 following:

4 (i) Section 5501(a) or (b) (relating to reckless and
5 negligent operation of watercraft).

6 (ii) Section 5502 (relating to operating watercraft
7 under influence of alcohol or controlled substance).

8 (b) Order in addition to any other sentence.--An order of
9 the commission under subsection (a) shall be in addition to any
10 other sentence imposed by the court.

11 Section 2. All regulations or parts of regulations
12 inconsistent with this act are abrogated to the extent of such
13 inconsistency.

14 Section 3. This act shall take effect in one year.