

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2079 Session of
1993

INTRODUCED BY MELIO, FEE, FAJT, COY, CAPPABIANCA, COLAIZZO,
OLASZ, MIHALICH, CURRY, FICHTER, TRELLO, MICOZZIE, ROONEY,
BELFANTI, TRICH, GIGLIOTTI AND CORRIGAN, OCTOBER 4, 1993

REFERRED TO COMMITTEE ON GAME AND FISHERIES, OCTOBER 4, 1993

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, providing for personal watercraft safety; providing
3 for the successful completion of a personal watercraft
4 education course and for other requirements for the operation
5 of personal watercraft; providing for additional duties of
6 the Pennsylvania Fish and Boat Commission; and providing for
7 enforcement and 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 inboard internal combustion engine powering
8 a water jet pump as its primary source of motive propulsion;
9 and

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

13 § 5702. Certificate required.

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

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

29 (3) Issue a wallet-size certificate of personal
30 watercraft safety to a person who passes a commission-

1 prescribed course in personal watercraft safety or qualifies
2 for an exemption.

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

7 (5) Provide printed materials for persons taking the
8 course.

9 (6) Maintain records of certificates.

10 (7) Replace lost or destroyed certificates.

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

13 § 5704. Certificate.

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

17 (b) Exemptions.--The commission may exempt certain persons
18 from having to fulfill the course and exam requirement based on
19 related safety knowledge as acquired through other Coast Guard
20 certification. A certificate shall be issued upon request for
21 the exempted individual.

22 § 5705. Operation of personal watercraft.

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

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

26 (2) Be 15 years of age or older.

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

29 § 5706. Order to take safety course.

30 (a) Order.--The commission may order a person to

1 successfully complete a course in personal watercraft safety in
2 the following situations:

3 (1) Where a person is convicted of two water safety
4 violations within any two-year period.

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

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

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

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

14 Section 2. This act shall take effect in one year.