

ASSEMBLY BILL NO. 199—ASSEMBLYMEN BEERS, NOLAN, CHOWNING,
KOIVISTO, DE BRAGA, LESLIE, BROWER, HETTRICK, CEGAVSKE, GIBBONS,
VON TOBEL, PARKS AND THOMAS

FEBRUARY 11, 1999

Referred to Committee on Natural Resources, Agriculture and Mining

SUMMARY—Makes various changes relating to safe boating. (BDR 43-1215)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to watercraft; prohibiting the operation of certain motorboats by an operator who has not completed a course or passed an examination relating to safe boating; prohibiting the renting or leasing of such motorboats to such operators; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 488 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
- 3 **Sec. 2. 1. *A person shall not operate a motorboat that has a motor***
4 ***which exceeds 10 horsepower on any waters of this state unless:***
- 5 ***(a) The operator has:***
- 6 ***(1) Successfully completed a course in safe boating that is approved***
7 ***by the National Association of State Boating Law Administrators or***
8 ***passed a proficiency examination, whether or not proctored, that tests***
9 ***knowledge of information included in the curriculum of such a course;***
10 ***and***
- 11 ***(2) Received a certificate as evidence of successful completion of***
12 ***the course or passage of the examination; or***
- 13 ***(b) If the motorboat is rented or leased, the operator is named as an***
14 ***authorized operator of the motorboat on the rental or lease agreement for***
15 ***the motorboat and has:***
- 16 ***(1) Satisfied the requirements of paragraph (a); or***

1 (2) *Passed an abbreviated examination given pursuant to*
2 *paragraph (b) of subsection 3.*

3 2. *A person who is operating a motorboat that has a motor which*
4 *exceeds 10 horsepower on any waters of this state and who is stopped by*
5 *a law enforcement officer in the enforcement of this chapter or the*
6 *regulations adopted pursuant thereto shall present to the law*
7 *enforcement officer:*

8 (a) *The certificate received by the person pursuant to subsection 1; or*

9 (b) *The rental or lease agreement for the motorboat which shows that*
10 *the person is an authorized operator of the motorboat and has passed an*
11 *abbreviated examination on safe boating.*

12 *Failure to present the certificate or the rental or lease agreement*
13 *constitutes prima facie evidence of a violation of subsection 1.*

14 3. *A person engaged in the business of renting or leasing motorboats*
15 *shall not rent or lease a motorboat that has a motor which exceeds 10*
16 *horsepower to any person for operation on the waters of this state unless*
17 *the customer:*

18 (a) *Signs an affidavit that he has successfully completed a course in*
19 *safe boating that is approved by the National Association of State*
20 *Boating Law Administrators or has passed a proficiency examination*
21 *that tests knowledge of information included in the curriculum of such a*
22 *course; or*

23 (b) *Receives educational materials on safe boating from the rental or*
24 *leasing business and passes an abbreviated examination on safe boating*
25 *that is administered by the business. A passing score on the examination*
26 *is at least 90 percent. The achievement of a passing score on the*
27 *examination must be indicated on or attached to the rental or lease*
28 *agreement for the motorboat.*

29 **Sec. 3.** *The division of wildlife of the state department of*
30 *conservation and natural resources shall, upon request, make available*
31 *to a person engaged in the business of renting or leasing motorboats in*
32 *this state educational material on safe boating and an abbreviated*
33 *examination that must be used by the business for the purposes of*
34 *paragraph (b) of subsection 3 of section 2 of this act. The division may*
35 *charge a reasonable fee, not to exceed the actual costs incurred by the*
36 *division, for providing such materials and examinations.*

37 **Sec. 4.** *The provisions of section 2 of this act do not apply to offenses*
38 *that are committed before October 1, 1999.*

39 **Sec. 5.** 1. *This section and sections 1 and 3 of this act become*
40 *effective upon passage and approval.*

41 2. *Sections 2 and 4 of this act become effective on October 1, 1999.*