

SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION

S.F. No. 1718

(SENATE AUTHORS: INGEBRIGTSEN)

DATE  
03/04/2021

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Introduction and first reading  
Referred to Environment and Natural Resources Policy and Legacy Finance

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to natural resources; modifying requirements for watercraft operator's  
1.3 permit; amending Minnesota Statutes 2020, sections 86B.125, by adding a  
1.4 subdivision; 86B.305; 86B.313, subdivision 4; repealing Minnesota Statutes 2020,  
1.5 section 86B.313, subdivisions 2, 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 86B.125, is amended by adding a subdivision  
1.8 to read:

1.9 Subd. 3. Watercraft operator's permit number; record keeping. The records required  
1.10 under subdivision 2 must include the watercraft operator's permit number for any person  
1.11 required to have a watercraft operator's permit under section 86B.305.

1.12 Sec. 2. Minnesota Statutes 2020, section 86B.305, is amended to read:

1.13 **86B.305 YOUTH WATERCRAFT OPERATORS PERMIT.**

1.14 Subdivision 1. **Under age 12.** (a) Except in case of an emergency, a person under age  
1.15 12 may not operate or be allowed to operate a motorboat, including a personal watercraft  
1.16 ~~propelled by a motor with a factory rating of more than 25 horsepower,~~ unless there is  
1.17 present in or on the watercraft, in addition to the operator, at least one ~~person~~ parent or  
1.18 guardian age ~~21~~ 18 or older who is within immediate reach of the controls of the motor. For  
1.19 purposes of this section and section 169A.20, the person age ~~21~~ 18 or older, as well as the  
1.20 actual operator, is operating and is in physical control of the motorboat.

1.21 (b) A person under age 12 may not operate or be allowed to operate a personal watercraft  
1.22 or a watercraft propelled by a motor with a factory rating of more than 75 horsepower.

2.1 Subd. 2. **Age 12 to ~~17~~ 15; watercraft operator's permit required.** (a) Except as  
 2.2 provided in this subdivision, a person age 12 or older and younger than age ~~18~~ 16 may not  
 2.3 operate a motorboat ~~powered by a motor over 25 horsepower,~~ including a personal watercraft,  
 2.4 without possessing a valid watercraft operator's permit from this state or from the operator's  
 2.5 state of residence unless there is a ~~person~~ parent or guardian age ~~21~~ 18 or older in the  
 2.6 motorboat who is within immediate reach of the controls of the motor.

2.7 (b) For purposes of this section and section 169A.20, the person age ~~21~~ 18 or older, as  
 2.8 well as the actual operator, is operating and is in physical control of the motorboat.

2.9 Subd. 2a. **Age 16 and older; watercraft operator's permit required.** (a) Except in  
 2.10 case of an emergency, a person born after December 31, ..., and who is age 16 or older may  
 2.11 not operate a motorboat, including a personal watercraft, without possessing a valid watercraft  
 2.12 operator's permit from this state or from the operator's state of residence.

2.13 (b) A person must be at least age 11 to take the watercraft operator's course and receive  
 2.14 a permit, but the permit is not valid until the person reaches age 12.

2.15 Subd. 2b. **Proof of watercraft operator's permit.** A person who is required to have a  
 2.16 watercraft operator's permit must carry proof that the person has a valid watercraft operator's  
 2.17 permit and must display the proof to a law enforcement officer upon request.

2.18 Subd. 3. **Owners may not allow certain uses.** An owner or other person in lawful  
 2.19 control of a watercraft may not allow a watercraft to be operated contrary to ~~the provisions~~  
 2.20 ~~of subdivision 2~~ this section.

2.21 Subd. 4. **Guardian; definition.** For purposes of this section, "guardian" means a legal  
 2.22 guardian, or a person age 18 or older who has been authorized by the parent or legal guardian  
 2.23 to supervise the person.

2.24 Sec. 3. Minnesota Statutes 2020, section 86B.313, subdivision 4, is amended to read:

2.25 Subd. 4. **Dealers and rental operations.** (a) A dealer of personal watercraft shall  
 2.26 distribute a summary of the laws and rules governing the operation of personal watercraft  
 2.27 and, upon request, shall provide instruction to a purchaser regarding:

2.28 (1) the laws and rules governing personal watercraft; and

2.29 (2) the safe operation of personal watercraft.

2.30 (b) A person who offers personal watercraft for rent:

3.1 (1) shall provide a summary of the laws and rules governing the operation of personal  
3.2 watercraft and provide instruction regarding the laws and rules and the safe operation of  
3.3 personal watercraft to each person renting a personal watercraft;

3.4 (2) shall provide a United States Coast Guard (USCG) approved wearable personal  
3.5 flotation device with a USCG label indicating it either is approved for or does not prohibit  
3.6 use with personal watercraft or water-skiing and any other required safety equipment to all  
3.7 persons who rent a personal watercraft at no additional cost; and

3.8 (3) shall require that a watercraft operator's permit from this state or from the operator's  
3.9 state of residence be shown each time a personal watercraft is rented to any person ~~younger~~  
3.10 ~~than age 18~~ required to have a watercraft operator's permit under section 86B.305 and shall  
3.11 record the permit number on the form provided by the commissioner.

3.12 (c) Each dealer of personal watercraft or person offering personal watercraft for rent  
3.13 shall have the person who purchases or rents a personal watercraft sign a form provided by  
3.14 the commissioner acknowledging that the purchaser or renter has been provided a copy of  
3.15 the laws and rules regarding personal watercraft operation and has read them. The form  
3.16 must be retained by the dealer or person offering personal watercraft for rent for a period  
3.17 of six months following the date of signature and must be made available for inspection by  
3.18 sheriff's deputies or conservation officers during normal business hours.

3.19 **Sec. 4. REPEALER.**

3.20 Minnesota Statutes 2020, section 86B.313, subdivisions 2 and 3, are repealed.

3.21 **Sec. 5. EFFECTIVE DATE.**

3.22 Sections 1 to 4 are effective January 1, 2023.

**86B.313 PERSONAL WATERCRAFT; REGULATIONS.**

Subd. 2. **Age of operator.** Except in the case of an emergency, a person under the age of 13 years may not operate or be permitted to operate a personal watercraft, regardless of horsepower. It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Subd. 3. **Operator's permit; adult supervision.** Except in the case of an emergency, a person 13 years of age or over but less than 18 years of age may not operate a personal watercraft, regardless of horsepower, without possessing a valid watercraft operator's permit as required by section 86B.305, unless there is a person 21 years of age or older on board the craft. In addition to the permit requirement, a person 13 years of age operating a personal watercraft must remain under visual supervision by a person who is 21 years of age or older. An owner of a personal watercraft may not permit the personal watercraft to be operated contrary to this subdivision.