

## CHAPTER 310—H.F.No.945

[Coded in Part]

*An act relating to safety in the use of waters of this state; establishing a watercraft safety program; increasing certain license fees; providing penalties; amending Minnesota Statutes 1971, Sections 361.055; 361.22, Subdivision 2; and Chapter 361, by adding a section.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Chapter 361, is amended by adding a section to read:

**[361.041] WATERS AND WATERCRAFT; SAFETY PROGRAM; OPERATORS PERMITS.** Subdivision 1. SAFETY PROGRAM. The commissioner shall continue and expand his comprehensive boat safety and education program and, in connection with the program, shall issue operators permits as required by this section. The commissioner shall cooperate with boatmen, governmental subdivisions, state agencies, other states, and the federal government in the operation of the program. The commissioner shall issue a watercraft operator's permit to a person who successfully qualifies for a permit under the boat safety education program.

Subd. 2. OPERATOR'S PERMIT. Except as provided in this subdivision, no person 13 years of age or over but less than 18 years of age may operate a motorboat powered by a motor over 24 horsepower without possessing a valid watercraft operator's permit, unless there is a person 18 years of age or over in the motorboat. The operator's permit required by this subdivision is not required of a non-resident who operates a motorboat for less than 31 consecutive days in a calendar year. The commissioner shall establish an educational course and a testing program for watercraft operators and for persons 13 years of age or over but less than 18 years of age required to take the watercraft safety course. The commissioner shall issue a watercraft operator's permit to a person 13 years of age or over but less than 18 years of age who successfully completes the educational program and the written test which the commissioner shall prescribe.

Subd. 3. UNLAWFUL FOR OWNERS TO PERMIT CERTAIN USES OF WATERCRAFT. It is unlawful for the owner of a watercraft to permit the watercraft to be operated contrary to the provisions of this section.

Sec. 2. Minnesota Statutes 1971, Section 361.055, is amended to read:

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

**361.055 AGE OF OPERATOR.** Except in case of an emergency no person under the age of 13 years shall operate or be permitted to operate any watercraft propelled by a motor with a factory rating of more than 24 horsepower unless there is present in the watercraft in addition to the operator, his parent or legal guardian, or at least one person of the age of 15 18 years or over.

Sec. 3. Minnesota Statutes 1971, Section 361.22, Subdivision 2, is amended to read:

Subd. 2. In addition to any other penalties authorized by sections 361.01 to 361.28, any operator may, in the discretion of the court, upon conviction for a violation of any provision or regulation relating to the manner of operation of a watercraft, be prohibited from operating a watercraft for a period of not more than 90 days. Upon a second conviction for any such violation within a period of one year, the court shall prohibit the operator from operating a watercraft for 90 days. An operator 13 years of age or older but less than 18 years of age, adjudicated by a juvenile court as having violated sections 361.05, or 361.12, or 361.13 shall have his operator's permit revoked by the commissioner. The commissioner shall issue a new permit to the operator one year after the revocation upon successful completion by the operator of a watercraft safety course. The judge of a juvenile court, which adjudicates an operator of violating any of the laws or regulations listed above, shall require the surrender of the person's watercraft operator's permit and shall forward the operator's permit to the commissioner, together with a record of the adjudication.

Sec. 4. **EFFECTIVE DATE.** Except where otherwise specified, this act is effective January 1, 1975. However, before the effective date the commissioner may establish the testing program for watercraft operators and may issue watercraft operators permits.

Approved May 18, 1973.

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## CHAPTER 311—H.F.No.964

[Not Coded]

*An act relating to the city of Thief River Falls; payment of firemen's service pensions.*

Be it enacted by the Legislature of the State of Minnesota:

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**