

CHAPTER 86B

WATER SAFETY, WATERCRAFT, AND WATERCRAFT
TITLING

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86B.101 WATERCRAFT SAFETY PROGRAM.

[For text of subd 1, see M.S.1992]

Subd. 2. **Youth watercraft safety course.** (a) The commissioner shall establish an educational course and a testing program for watercraft operators and for persons age 12 or older but younger than age 18 required to take the watercraft safety course. The commissioner shall prescribe a written test as part of the course.

(b) The commissioner shall issue a watercraft operator's permit to a person age 12 or older but younger than age 18 who successfully completes the educational program and the written test.

[For text of subd 3, see M.S.1992]

History: 1993 c 310 s 1

86B.305 YOUTH OPERATORS.

Subdivision 1. **Under age 12.** Except in case of an emergency, a person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 30 horsepower unless there is present in the watercraft, in addition to the operator, the operator's parent or legal guardian or at least one person of the age 18 or older.

Subd. 2. **Age 12 to 17; permit required.** Except as provided in this subdivision, a person age 12 or older and younger than age 18 may not operate a motorboat powered by a motor over 30 horsepower without possessing a valid watercraft operator's permit from this state or from the operator's state of residence unless there is a person age 18 or older in the motorboat.

[For text of subd 3, see M.S.1992]

History: 1993 c 269 s 2,3; 1993 c 310 s 2,3

86B.313 PERSONAL WATERCRAFT REGULATIONS.

Subdivision 1. **General requirements.** In addition to requirements of other laws relating to watercraft, it is unlawful to operate or to permit the operation of a personal watercraft:

- (1) without each person on board the personal watercraft wearing a United States Coast Guard approved Type I, II, III, or V personal flotation device;
- (2) between sunset and 8:00 a.m.;
- (3) within 100 feet of a shoreline, dock, swimmer, or swimming diving raft or a moored, anchored, or nonmotorized watercraft at greater than slow-no wake speed;
- (4) while towing a person on water skis, a kneeboard, an inflatable craft, or any other device unless:
 - (i) an observer is on board; or
 - (ii) the personal watercraft is equipped with factory-installed or factory-specified accessory mirrors that give the operator a wide field of vision to the rear;

(5) without the lanyard-type engine cutoff switch being attached to the person, clothing, or personal flotation device of the operator, if the personal watercraft is equipped by the manufacturer with such a device;

(6) if any part of the spring-loaded throttle mechanism has been removed, altered, or tampered with so as to interfere with the return-to-idle system;

(7) to chase or harass wildlife;

(8) through emergent or floating vegetation at other than a slow-no wake speed;

(9) in a manner that unreasonably or unnecessarily endangers life, limb, or property, including weaving through congested watercraft traffic, jumping the wake of another watercraft within 100 feet of the other watercraft; or

(10) in any other manner that is not reasonable and prudent.

[For text of subds 2 to 4, see M.S.1992]

History: 1993 c 219 s 1

86B.321 NOISE LIMITS.

Subdivision 1. **Operation in excess of noise limits prohibited.** A person may not operate a motorboat under any condition of load, acceleration, or deceleration in a manner that exceeds the noise limits contained in subdivision 2.

[For text of subds 2 and 3, see M.S.1992]

History: 1993 c 13 art 1 s 22

86B.401 WATERCRAFT LICENSES.

[For text of subds 1 to 11, see M.S.1992]

Subd. 12. **Proof of sales tax payment.** A person applying for initial licensing of a watercraft must provide a watercraft purchaser's certificate, showing a complete description of the watercraft, the seller's name and address, the full purchase price of the watercraft, and the trade-in allowance, if any. The certificate must include information showing either (1) that the sales and use tax under chapter 297A was paid or (2) the purchase was exempt from tax under chapter 297A. The commissioner of public safety, in consultation with the commissioner and the commissioner of revenue, shall prescribe the form of the certificate.

The certificate is not required if the applicant provides a receipt, invoice, or other document that shows the watercraft was purchased from a retailer maintaining a place of business in this state as defined in section 297A.21, subdivision 1.

History: 1993 c 375 art 1 s 2

86B.415 LICENSE FEES.

[For text of subds 1 to 6, see M.S.1992]

Subd. 7. **Watercraft surcharge.** A surcharge is placed on each watercraft licensed under subdivisions 1 to 5 for control, public awareness, law enforcement, monitoring, and research of nuisance aquatic exotic species such as zebra mussel, purple loosestrife, and Eurasian water milfoil in public waters and public wetlands. The surcharge is \$5 until December 31, 1996, and \$3 thereafter.

[For text of subds 8 to 10, see M.S.1992]

History: 1993 c 235 s 3

86B.820 DEFINITIONS.

[For text of subds 1 to 13, see M.S.1992]

Subd. 14. **Watercraft.** "Watercraft" means a device used or designed for navigation on water that is greater than 16 feet in length, as defined in section 86B.005, subdivision 6, but does not include:

(1) a row-type fishing boat of single hull construction, with oar locks and an outboard motor capacity rating of less than 40 horsepower;

(2) a canoe;

(3) a kayak;

(4) a rowing shell or scull;

(5) a ship's lifeboat;

(6) a vessel of at least five net tons measured in Code of Federal Regulations, title 46, part 69, that is documented under Code of Federal Regulations, title 46, subpart 67.01; or

(7) a seaplane.

[For text of subd 15, see M.S.1992]

History: 1993 c 310 s 4