86B.331 OPERATION WHILE USING ALCOHOL OR DRUGS OR WITH A PHYSICAL OR MENTAL DISABILITY.

Subdivision 1. **Acts prohibited.** (a) An owner or other person having charge or control of a motorboat may not authorize or allow an individual the person knows or has reason to believe is under the influence of alcohol or a controlled or other substance to operate the motorboat in operation on the waters of this state.

- (b) An owner or other person having charge or control of a motorboat may not knowingly authorize or allow a person, who by reason of a physical or mental disability is incapable of operating the motorboat, to operate the motorboat in operation on the waters of this state.
- (c) A person who operates or is in physical control of a motorboat on the waters of this state is subject to chapter 169A. In addition to the applicable sanctions under chapter 169A, a person who is convicted of violating section 169A.20 or an ordinance in conformity with it, or who fails a test lawfully administered under sections 169A.50 to 169A.53 or 171.177, or an ordinance in conformity with any of these sections, is prohibited from operating a motorboat on the waters of this state for 90 days between May 1 and October 31, extending over two consecutive years if necessary. If the person refuses to comply with a lawful demand to submit to testing under sections 169A.50 to 169A.53 or 171.177, or an ordinance in conformity with any of these sections, the person is prohibited from operating a motorboat for one year. The commissioner shall notify the person of the period during which the person is prohibited from operating a motorboat.
- (d) Administrative and judicial review of the operating privileges prohibition is governed by section 169A.53 or 171.177.
- (e) The court shall promptly forward to the commissioner and the Department of Public Safety copies of all convictions and criminal and civil sanctions imposed under: (1) this section; (2) chapter 169 relating to motorboats; (3) chapter 169A; and (4) section 171.177.
- (f) A person who violates paragraph (a) or (b), or an ordinance in conformity with either of them, is guilty of a misdemeanor.
- (g) For purposes of this subdivision, a motorboat "in operation" does not include a motorboat that is anchored, beached, or securely fastened to a dock or other permanent mooring, or a motorboat that is being rowed or propelled by other than mechanical means.

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Subd. 2. [Repealed, 1Sp1997 c 2 s 69]
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Subd. 3. [Repealed, 1Sp1997 c 2 s 69]

Subd. 4. [Repealed, 1Sp1997 c 2 s 69]

Subd. 5. [Repealed, 1Sp1997 c 2 s 69]

Subd. 5a. [Repealed, 1Sp1997 c 2 s 69]

Subd. 6. [Repealed, 1Sp1997 c 2 s 69]

Subd. 7. [Repealed, 1Sp1997 c 2 s 69]

Subd. 8. [Repealed, 1Sp1997 c 2 s 69]

History: 1990 c 391 art 9 s 18; 1992 c 570 art 3 s 1; 1994 c 615 s 5,6; 1995 c 230 s 6; 1Sp1997 c 2 s 5; 2000 c 478 art 2 s 7; 2000 c 495 s 7; 2001 c 7 s 23; 2012 c 272 s 22; 2017 c 83 art 3 s 18; 2018 c 183 s 2; 1Sp2019 c 5 art 6 s 2