

7833

I N   S E N A T E

August 8, 2012

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Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the navigation law, in relation to the operation of a mechanically propelled vessel

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

1     Section 1. Subdivisions 1 and 3 of section 49 of the navigation law,  
2     as amended by chapter 805 of the laws of 1992, are amended to read as  
3     follows:  
4     1. A. No person [under the age of eighteen] SIXTEEN years OF AGE OR  
5     OLDER shall operate a mechanically propelled vessel on the navigable  
6     waters of the state or any tidewaters bordering on or lying within the  
7     boundaries of Nassau and Suffolk counties, unless[:  
8     a.] the operator is [accompanied therein by a person who is eighteen  
9     years of age or older, or,] THE HOLDER OF A BOATING SAFETY CERTIFICATE  
10    ISSUED TO HIM BY THE COMMISSIONER, THE UNITED STATES POWER SQUADRONS OR  
11    THE UNITED STATES COAST GUARD AUXILIARY.  
12    b. NO PERSON UNDER SIXTEEN YEARS OF AGE SHALL OPERATE A MECHANICALLY  
13    PROPELLED VESSEL ON THE NAVIGABLE WATERS OF THE STATE OR ANY TIDEWATERS  
14    BORDERING ON OR LYING WITHIN THE BOUNDARIES OF NASSAU AND SUFFOLK COUN-  
15    TIES, UNLESS the operator is [ten years of age or older and is] the  
16    holder of a boating safety certificate issued to him by the commission-  
17    er, the United States Power Squadrons or the United States coast guard  
18    auxiliary AND IS ACCOMPANIED THEREIN BY A PERSON WHO IS SIXTEEN YEARS OF  
19    AGE OR OLDER WHO ALSO HOLDS SUCH A BOATING SAFETY CERTIFICATE, EXCEPT  
20    THAT A PERSON WHO IS UNDER SIXTEEN YEARS OF AGE BUT AT LEAST THIRTEEN  
21    YEARS OF AGE AND POSSESSES SUCH A BOATING SAFETY CERTIFICATE MAY OPERATE  
22    (1) A MECHANICALLY PROPELLED VESSEL POWERED SOLELY BY AN ELECTRIC MOTOR;  
23    OR (2) A MECHANICALLY PROPELLED VESSEL WHICH IS TWELVE FEET OR GREATER  
24    IN LENGTH AND POWERED BY A MOTOR, OR COMBINATION OF MOTORS, OF LESS THAN  
25    TEN HORSEPOWER.  
26    3. No person who is the owner of a mechanically propelled vessel shall  
27    knowingly authorize or permit the operation thereof on the navigable

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 waters of the state or any tidewaters bordering on or lying within the  
2 boundaries of Nassau and Suffolk counties, unless[:  
3 a.] the operator [is eighteen years of age or older or,  
4 b. the operator is accompanied therein by a person eighteen years of  
5 age or older or,  
6 c. the operator is ten years of age or older and is the holder of a  
7 boating safety certificate issued to him by the commissioner, the United  
8 States Power Squadrons or the United States Coast Guard Auxiliary] MEETS  
9 THE REQUIREMENTS OF SUBDIVISION ONE OF THIS SECTION.  
10 S 2. This act shall take effect on the first of January next succeed-  
11 ing the date on which it shall have become a law.