STATE OF NEW YORK

8515--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. KASSAY -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, the navigation law and the vehicle and traffic law, in relation to enacting the whale awareness act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "whale awareness act".

§ 2. Article 13 of the environmental conservation law is amended by adding a new title 9 to read as follows:

TITLE 9

WHALE AWARENESS ACT

Section 13-0901. Marine mammal interaction recommendations and educational materials.

§ 13-0901. Marine mammal interaction recommendations and educational materials.

1. The department shall establish recommendations and educational materials for the reduction of marine mammal interactions with vessels. In developing such recommendations and educational materials, the department shall consult with the port authority of New York and New Jersey, the office of parks, recreation and historic preservation, the United States coast guard, the national oceanic and atmospheric administration, the marine mammal commission, and any other relevant agencies. For purposes of this section, "marine mammal interaction" means any act of pursuit, torment, or annoyance of a marine mammal in the wild that has the potential to injure or disturb such mammal by causing disruption

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

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of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

2. Recommendations and educational materials developed pursuant to this section shall be posted publicly on the department's website and provided to owners and operators of a party boat or charter boat pursuant to section 13-0336 of this article, persons participating in a boating safety course required pursuant to section forty-nine of the navigation law, and on or after December thirty-first, two thousand twenty-eight, to registrants of vessels registered in the state in accordance with section twenty-two hundred fifty-one of the vehicle and traffic law.

§ 3. Section 75 of the navigation law, as amended by chapter 361 of the laws of 2013, is amended to read as follows:

§ 75. Educational program. In order to protect the public interest in the prudent and equitable use of the waters of the state and enhance the enjoyment of pleasure boating and other sports thereon, the commissioner shall initiate and put into effect a comprehensive educational program designed to advance boating safety, which provides for the training of all boat operators in the safe operation of vessels including personal watercraft and specialty prop-craft. Such educational program shall include recommendations and educational materials for the reduction of marine mammal interactions with vessels developed pursuant section 13-0901 of the environmental conservation law.

§ 4. Section 2251 of the vehicle and traffic law is amended by adding a new subdivision 10 to read as follows:

10. Marine mammal interaction prevention. In issuing a registration pursuant to this section with respect to any registration application where the address therein is in the county of Suffolk, Nassau, Kings, Queens, New York, Richmond, Bronx, Westchester, or Rockland, the commissioner shall also provide marine mammal interaction prevention recommendations and educational materials developed pursuant to section 13-0901 of the environmental conservation law.

§ 5. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 6. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, section four of this act shall take effect December 31, 2028.