

STATE OF NEW YORK

8515

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

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:

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

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

TITLE 9

WHALE AWARENESS ACT

7 Section 13-0901. Marine mammal interaction recommendations and educa-
8 tional materials.

9 13-0903. Distribution of materials.

10 § 13-0901. Marine mammal interaction recommendations and educational
11 materials.

12 The department shall establish recommendations and educational materi-
13 als for reduction of marine mammal interactions. In developing such
14 recommendations and educational materials, the department shall consult
15 with the port authority of New York and New Jersey, the department of
16 transportation, and any other relevant agencies, and such agencies shall
17 provide appropriate assistance to the department. In furtherance of the
18 foregoing, the department shall also seek input from the United States
19 coast guard, the national oceanic and atmospheric administration and the
20 marine mammal commission. For purposes of this section, "marine mammal
21 interaction" means an act that constitutes harassment within the meaning
22 of 16 U.S.C. 1362.

23 § 13-0903. Distribution of materials.

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

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1 Recommendations and educational materials developed pursuant to
2 section 13-0901 of this title shall be provided to registrants of
3 vessels registered in the state in accordance with section twenty-two
4 hundred fifty-one of the vehicle and traffic law.

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

7 § 75. Educational program. In order to protect the public interest in
8 the prudent and equitable use of the waters of the state and enhance the
9 enjoyment of pleasure boating and other sports thereon, the commissioner
10 shall initiate and put into effect a comprehensive educational program
11 designed to advance boating safety, which provides for the training of
12 all boat operators in the safe operation of vessels including personal
13 watercraft and specialty prop-craft. Such educational program shall
14 include basic information regarding the prohibitions against harassment
15 of marine mammals within the meaning of 16 U.S.C. 1362.

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

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

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

34 § 6. This act shall take effect on the one hundred eightieth day after
35 it shall have become a law.