

SESSION OF 2016

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2436**

As Agreed to April 28, 2016

Brief*

HB 2436 would amend law relating to boater safety education for operation of a sailboat. Current law requires any person born on or after January 1, 1989, to possess a certificate of completion of a boater safety course authorized by the Kansas Department of Wildlife, Parks and Tourism (Department) in order to operate a motorboat or sailboat on Kansas public waters without direct supervision, unless the person is 21 years of age or older.

The bill would exempt any individual operating a sailboat that does not have a motor and has an overall length of 16 feet, 7 inches or less while that individual is participating in an instructor-led sailing class from the requirement to possess a certificate of completion from an approved boater safety education course.

The bill would be in effect upon publication in the *Kansas Register*.

Conference Committee Action

The Conference Committee replaced the contents of HB 2436 regarding motorcycle operator testing and licensing with the contents of SB 190 as amended by the Senate Committee on Transportation. The Conference Committee

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

also made a clarifying amendment and changed the effective date to the date of publication in the *Kansas Register*. (The contents regarding motorcycle operator testing and licensing are included in the Conference Committee report for HB 2522.)

Background

The bill was introduced by Senator Holland. In the Senate Committee on Transportation hearing, Senator Holland stated the bill would make sailboat training classes more accessible to persons under 21 years of age who do not possess a certificate of completion of an approved boater safety training course. A representative of the Perry Yacht Club also spoke in favor of the bill, stating a number of topics covered in the Kansas course are not relevant to operating small sailboats that do not have motors and could cause some confusion for youth participating in an instructor-led sailing course.

A Department representative testified neutrally on the original bill. The representative outlined the current requirements for boater safety. The representative did note concern with language in the original bill relating to certificates of completion and the length of the sailboat.

The Senate Committee amended the bill to reduce the sailboat length in the exemption from 20 feet or less to 16 feet, 7 inches or less and to specify the sailboat may not have a motor. The Committee also amended the bill to strike language relating to an exemption for a person who has completed an instructor-led class and can furnish proof of successful completion and to Department authority for rules and regulations on this exemption.

The House Committee on Transportation received proponent testimony from Senator Holland and from representatives of the Perry Yacht Club and the Department. There was no other testimony. The Committee recommended

the bill for passage. The bill subsequently was referred to the House Committee on Taxation.

According to the fiscal note on the original bill, the Department indicates enactment would have no fiscal effect on the agency.

sailboat; boater education; instruction

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