

HOUSE BILL No. 2117

By Committee on Agriculture and Natural Resources

1-23

1 AN ACT concerning boating and water activities; relating to boating safety
2 education; amending K.S.A. 32-1139 and repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 32-1139 is hereby amended to read as follows: 32-
6 1139. (a) On and after January 1, ~~2004~~ 2016:

7 (1) No person born on or after January 1, ~~1989~~ 1995, shall operate on
8 public waters of this state any motorboat or sailboat unless the person
9 possesses a certificate of completion of an approved boater safety
10 education course of instruction lawfully issued to such person as provided
11 by this act.

12 (2) No owner or person in possession of any motorboat or sailboat
13 shall permit another person, who is subject to the requirements in
14 subsection (a)(1), to operate such motorboat or sailboat unless such other
15 person either: (A) Has been lawfully issued a certificate of completion of
16 an approved boater safety education course of instruction as provided by
17 this act; or (B) is legally exempt from the requirements of subsection (a)
18 (1).

19 ~~(3) The requirement in subsection (a)(1), shall not apply to a person~~
20 ~~21 years of age or older.~~

21 (b) The requirement in subsection (a)(1) shall not apply to a person
22 operating a motorboat or sailboat accompanied by and under the direct and
23 audible supervision of a person over 17 years of age who ~~either: (1)~~
24 ~~possesses a certificate of completion of an approved boater safety~~
25 ~~education course; or (2) is legally exempt from the requirements of~~
26 ~~subsection (a)(1).~~

27 (c) No person who is charged with a violation of subsection (a)(1)
28 shall be convicted of the violation if such person produces in court or in
29 the office of the arresting officer a certificate of completion of an approved
30 boater safety education course of instruction lawfully issued to such
31 person and valid at the time of such person's arrest.

32 Sec. 2. K.S.A. 32-1139 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after
34 January 1, 2016, and its publication in the statute book.