

SENATE BILL No. 190

By Committee on Commerce

2-10

1 AN ACT concerning boating safety education; relating to sailboats;
2 approved course of instruction; amending K.S.A. 32-1139 and
3 repealing the existing section.

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

6 Section 1. K.S.A. 32-1139 is hereby amended to read as follows: 32-
7 1139. (a) On and after January 1, 2001:

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

13 (2) No owner or person in possession of any motorboat or sailboat
14 shall permit another person, who is subject to the requirements in
15 subsection (a)(1), to operate such motorboat or sailboat unless such other
16 person either: (A) Has been lawfully issued a certificate of completion of
17 an approved boater safety education course of instruction as provided by
18 this act; or (B) is legally exempt from the requirements of subsection (a)
19 (1).

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

22 (4) *The requirement in subsection (a)(1) shall not apply to either: (A)*
23 *A person operating a sailboat with a length of 20 feet or less while*
24 *enrolled in an instructor-led class; or (B) a person who has completed an*
25 *instructor-led class and furnishes proof of successful completion. The*
26 *department shall have authority to adopt rules and regulations to carry*
27 *out the provisions of this subparagraph.*

28 (b) The requirement in subsection (a)(1) shall not apply to a person
29 operating a motorboat or sailboat accompanied by and under the direct and
30 audible supervision of a person over 17 years of age who either: (1)
31 Possesses a certificate of completion of an approved boater safety
32 education course; or (2) is legally exempt from the requirements of
33 subsection (a)(1).

34 (c) No person who is charged with a violation of subsection (a)(1)
35 shall be convicted of the violation if such person produces in court or in
36 the office of the arresting officer a certificate of completion of an approved

1 boater safety education course of instruction lawfully issued to such
2 person and valid at the time of such person's arrest.

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 K.S.A. 32-1139 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.