

As Amended by Senate Committee

Session of 2015

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~~ **safety education courses, exceptions**
3 **therefrom; certain sailboats**; amending K.S.A. 32-1139 and repealing
4 the existing section.

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

7 Section 1. K.S.A. 32-1139 is hereby amended to read as follows: 32-
8 1139. (a) On and after January 1, 2001:

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

14 (2) No owner or person in possession of any motorboat or sailboat
15 shall permit another person, who is subject to the requirements in
16 subsection (a)(1), to operate such motorboat or sailboat unless such other
17 person either: (A) Has been lawfully issued a certificate of completion of
18 an approved boater safety education course of instruction as provided by
19 this act; or (B) is legally exempt from the requirements of subsection (a)
20 (1).

21 (3) The requirement in subsection (a)(1), shall not apply to a person
22 21 years of age or older.

23 (4) ~~The requirement in subsection (a)(1) shall not apply to either: (A)~~
24 ~~a person operating a sailboat with a~~ **that does not have a motor and has**
25 **an overall length of 16 feet, seven inches or less, while enrolled in**
26 ~~an instructor-led class; or (B) a person who has completed an instructor-~~
27 ~~led class and furnishes proof of successful completion. The department-~~
28 ~~shall have authority to adopt rules and regulations to carry out the~~
29 ~~provisions of this subparagraph.~~

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

36 (c) No person who is charged with a violation of subsection (a)(1)

1 shall be convicted of the violation if such person produces in court or in
2 the office of the arresting officer a certificate of completion of an approved
3 boater safety education course of instruction lawfully issued to such
4 person and valid at the time of such person's arrest.

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

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