

HOUSE BILL No. 2193

By Committee on Agriculture

1-26

1 AN ACT concerning boating and water activities; relating to boating safety
2 education; amending K.S.A. 2016 Supp. 32-1139 and repealing the
3 existing section.

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

6 Section 1. K.S.A. 2016 Supp. 32-1139 is hereby amended to read as
7 follows: 32-1139. (a) On and after January 1, ~~2001~~ 2018:

8 (1) No person born on or after January 1, ~~1989~~ 1997, 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)~~ (4) The requirement in subsection (a)(1) shall not apply to a person
23 operating a sailboat that does not have a motor and has an overall length of
24 16 feet, seven inches or less, while such person is enrolled in an instructor-
25 led class.

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

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

- 1 Sec. 2. K.S.A. 2016 Supp. 32-1139 is hereby repealed.
- 2 Sec. 3. This act shall take effect and be in force from and after
- 3 January 1, 2018, and its publication in the statute book.