

CS FOR SENATE BILL NO. 148(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 2/25/22

Referred: Finance

Sponsor(s): SENATOR HOLLAND

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to required boating safety education; relating to operating a boat;**
2 **providing for an effective date by repealing the effective dates of secs. 3, 5, 7, 9, 11, 14,**
3 **16, 18, 20, 23, 26, and 27, ch. 28, SLA 2000, sec. 3, ch. 119, SLA 2003, sec. 2, ch. 31, SLA**
4 **2012, and secs. 5 and 8, ch. 111, SLA 2018; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 05.25.053(b) is amended to read:

7 (b) The department shall cooperate with local, state, and federal agencies,
8 private and public organizations, and individuals to provide for

9 (1) a statewide boating safety education program; [THE PROGRAM
10 MUST

11 (A) DEVELOP EDUCATIONAL MATERIALS RELEVANT
12 TO THE UNIQUE NEEDS OF URBAN AND RURAL BOATERS IN THIS
13 STATE;

14 (B) SUPPORT STATEWIDE BOATING SAFETY

1 TRAINING PROGRAMS;

2 (C) SUPPORT BOATING SAFETY EDUCATION AND
3 TRAINING PROGRAMS FOR CHILDREN AND OTHER HIGH RISK
4 GROUPS;

5 (D) TRAIN, CERTIFY, AND SUPPORT BOATING SAFETY
6 INSTRUCTORS;

7 (E) EVALUATE, ON AN ONGOING BASIS, THE
8 EFFECTIVENESS OF PROGRAMS FUNDED UNDER THIS CHAPTER;]

9 (2) a boating safety advisory council as described in AS 05.25.057;

10 (3) a uniform state waterway marking system; and

11 (4) a boat registration and numbering system through the Department
12 of Administration.

13 * **Sec. 2.** AS 05.25.053 is amended by adding new subsections to read:

14 (d) When providing for a statewide boating safety education program, the
15 department shall

16 (1) establish, by regulation, a minimum standard of boating safety
17 education;

18 (2) develop a boating safety course that includes educational materials
19 relevant to the unique needs of urban and rural boaters in this state;

20 (3) develop an examination that will test a boater's knowledge of the
21 minimum standard of boating safety education;

22 (4) allow a boater, instead of taking the boating safety course, to take
23 or provide proof of passing a commercial boating safety course that meets the
24 department's minimum standard of boating safety education;

25 (5) support statewide boating safety training programs and volunteer
26 boating safety education programs;

27 (6) establish fees for administering the statewide boating safety
28 education program;

29 (7) support boating safety education and training programs for children
30 and other high risk groups;

31 (8) train, certify, and support boating safety instructors;

(9) promote the availability of insurance discounts for a boater who has completed a boating safety course that is consistent with boating safety standards established by the department.

(e) The department shall evaluate, on an ongoing basis, the effectiveness of programs funded under this chapter.

* **Sec. 3.** AS 05.25 is amended by adding a new section to read:

Sec. 05.25.054. Boating safety education card; operating a boat. (a) The department shall issue a boating safety education card to a person who

(1) passes

(A) the boating safety course and examination developed under AS 05.25.053(d)(2) and (3); or

(B) a boating safety course that meets the department's minimum standard of boating safety education, as allowed under AS 05.25.053(d)(4);

(2) pays the fee established by the department under AS 05.25.053(d)(6).

(b) A person may not operate a boat with an engine of 10 horsepower or more unless

(1) the person is carrying the person's boating safety education card on the boat;

(2) the person rents a boat and completes a required dockside safety checklist before operating the boat;

(3) the person possesses a current commercial fishing license;

(4) the person possesses a valid United States Coast Guard merchant mariner credential; or

(5) the person has in the person's possession a valid Alaska driver's license or Alaska identification card and the license or identification card designates that the person has completed a boating safety course that meets the minimum standard of boating safety education established by the department.

* **Sec. 4.** AS 18.65.310 is amended by adding a new subsection to read:

(s) At the request of an eligible person, the department shall designate with a

1 symbol placed on the person's identification card that the person is eligible to operate a
 2 boat. To receive the designation, the person shall provide proof that the person
 3 possesses a boating safety education card issued under AS 05.25.054(a), a current
 4 commercial fishing license, or a valid United States Coast Guard merchant mariner
 5 credential. The department may charge a fee of \$5 for replacement of a valid
 6 identification card with a new identification card that includes a boat operation
 7 designation, with the new card retaining the expiration date of the card being replaced.

8 * **Sec. 5.** AS 28.15.111 is amended by adding a new subsection to read:

9 (g) The department shall provide a method, at the time that a driver's license is
 10 issued, by which the owner of a license may voluntarily designate on the license that
 11 the owner is eligible to operate a boat. The department shall create a symbol to place
 12 on the driver's license of a person requesting the designation. To receive the
 13 designation, the person shall provide proof that the person possesses a boating safety
 14 education card issued under AS 05.25.054(a), a current commercial fishing license, or
 15 a valid United States Coast Guard merchant mariner license. The department may
 16 charge a fee of \$5 for replacement of a valid driver's license with a new license that
 17 includes a boat operation designation, with the new license retaining the expiration
 18 date of the license being replaced.

19 * **Sec. 6.** Sections 1(2), 3, 5, 7, 11, 14, and 16, ch. 28, SLA 2000; sec. 9, ch. 28, SLA 2000,
 20 as amended by sec. 3, ch. 119, SLA 2003, and sec. 4, ch. 121, SLA 2003; sec. 18, ch. 28, SLA
 21 2000, as amended by sec. 8, ch. 29, SLA 2010, and sec. 2, ch. 31, SLA 2012; sec. 20, ch. 28,
 22 SLA 2000, as amended by sec. 5, ch. 111, SLA 2018; sec. 23, ch. 28, SLA 2000, as amended
 23 by sec. 8, ch. 111, SLA 2018; sec. 26, ch. 28, SLA 2000, as amended by sec. 41, ch. 12, SLA
 24 2006, and sec. 24, ch. 29, SLA 2010; and sec. 27, ch. 28, SLA 2000, as amended by sec. 33,
 25 ch. 111, SLA 2018, are repealed.

26 * **Sec. 7.** Section 30, ch. 28, SLA 2000, as amended by sec. 3, ch. 34, SLA 2004, sec. 1, ch.
 27 19, SLA 2009, sec. 1, ch. 47, SLA 2010, and sec. 3, ch. 31, SLA 2012; sec. 5, ch. 119, SLA
 28 2003; sec. 64, ch. 29, SLA 2010; sec. 4, ch. 31, SLA 2012; and secs. 37 and 38, ch. 111, SLA
 29 2018, are repealed.

30 * **Sec. 8.** This Act takes effect January 1, 2023.