

HOUSE BILL No. 1806

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-103.5; IC 9-24-8.5; IC 14-15-11.

Synopsis: Motorboat endorsement. Requires that by July 1, 2001, the operator of a motorboat on public waters must have a motorboat endorsement on the person's Indiana driver's license or identification card. Requires the successful completion of a boating education course to receive an endorsement from the bureau of motor vehicles. Allows the endorsement to be removed for certain violations.

Effective: July 1, 1999; July 1, 2001.

Scholer

January 26, 1999, read first time and referred to Committee on Roads and Transportation.

C
O
P
Y



First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

C
O
P
Y

HOUSE BILL No. 1806



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-103.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 103.5. (a) "Motorboat"
3 means a watercraft propelled by an internal combustion, steam, or
4 electrical inboard or outboard motor or engine or by any mechanical
5 means.

6 ~~(b)~~ The term includes a sailboat that is equipped with a motor or an
7 engine described in **this** subsection ~~(a)~~ when the sailboat is in operation
8 whether or not the sails are hoisted.

9 **(b) "Motorboat" for purposes of IC 9-24-8.5, has the meaning**
10 **under IC 14-15-11-6.**

11 SECTION 2. IC 9-24-8.5 IS ADDED TO THE INDIANA CODE
12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 1999]:

14 **Chapter 8.5. Motorboat Endorsement**

15 **Sec. 1. The bureau shall develop and issue for the operation of**
16 **a motorboat:**

17 **(1) A license endorsement.**



1 **(2) An identification card endorsement.**

2 **Sec. 2. The bureau shall validate an operator's, a chauffeur's, or**
 3 **a public passenger chauffeur's license for motorboat operation by**
 4 **endorsement to an individual who has successfully completed a**
 5 **boating education course that is approved by the department of**
 6 **natural resources for purposes of IC 14-15-11.**

7 **Sec. 3. The bureau shall validate an identification card for**
 8 **motorboat operation by endorsement to an individual who:**

9 **(1) is at least fifteen (15) years of age; and**

10 **(2) has successfully completed a boating education course that**
 11 **is approved by the department of natural resources for**
 12 **purposes of IC 14-15-11.**

13 SECTION 3. IC 14-15-11-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. As used in this
 15 chapter, "Indiana driver's license" means:

16 (1) an operator's license;

17 (2) a chauffeur's license; or

18 (3) a public passenger chauffeur's license;

19 that is issued to an individual by the bureau of motor vehicles under
 20 IC 9-24-3 **and that contains a motorboat endorsement under**
 21 **IC 9-24-8.5.**

22 SECTION 4. IC 14-15-11-9 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) Except as
 24 provided in ~~subsections~~ **subsection (b), and (c);** an individual may not
 25 operate a motorboat on public waters unless the individual holds a
 26 valid driver's license.

27 (b) An individual who is at least fifteen (15) years of age and who
 28 does not hold a valid driver's license may operate a motorboat on public
 29 waters if the individual:

30 (1) has been issued an identification card by the bureau under
 31 IC 9-24-16 **with a motorboat endorsement under**
 32 **IC 9-24-8.5-3;** and

33 (2) has successfully completed a boating education course
 34 approved by the department for the purposes of this chapter.

35 ~~(c)~~ **An individual who:**

36 ~~(1)~~ **is at least twenty-one (21) years of age; and**

37 ~~(2)~~ **does not hold:**

38 ~~(A)~~ **a valid driver's license; or**

39 ~~(B)~~ **a driver's license that is suspended or revoked;**

40 **may operate a motorboat on public waters if the individual is issued an**
 41 **identification card by the bureau under IC 9-24-16 before January 1,**
 42 **1996.**



C
O
P
Y

1 SECTION 5. IC 14-15-11-13 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. (a) The bureau of
 3 motor vehicles and the natural resources commission established by
 4 IC 14-10-1-1 shall adopt rules under IC 4-22-2 to administer this
 5 chapter.

6 (b) The bureau of motor vehicles shall adopt rules concerning the
 7 following matters:

8 (1) The suspension of a motorboat operator's license under section
 9 14 of this chapter.

10 (2) The assessment of points under section 17 of this chapter
 11 against a person who commits a misdemeanor by operating a
 12 motorboat.

13 **(3) The removal of the motorboat endorsement from an**
 14 **operator's license or an identification card under section 14**
 15 **of this chapter.**

16 (c) The natural resources commission shall adopt rules concerning
 17 the following matters:

18 (1) The duties of the department under this chapter.

19 (2) The information that a boating education course must offer in
 20 order to be approved by the department for purposes of this
 21 chapter.

22 SECTION 6. IC 14-15-11-14 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) The bureau
 24 may:

25 (1) suspend or revoke the driver's license; **or**

26 (2) **remove the motorboat endorsement from an operator's**
 27 **license or an identification card;**

28 of a person upon the conviction of the person of a crime based on a
 29 violation of IC 14-15-3, IC 14-15-8, or IC 14-15-12.

30 (b) In suspending or revoking a driver's license **or removing an**
 31 **endorsement** under this section, the bureau shall follow the procedure
 32 set forth in IC 9-30-4.

33 SECTION 7. IC 14-15-11-15 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. (a) A court in
 35 which an individual is convicted of a crime based on a violation of
 36 IC 14-15-3, IC 14-15-8, or IC 14-15-12 relating to the operation of a
 37 motorboat shall forward a certified abstract of the record of the
 38 conviction to the bureau.

39 (b) If, in the opinion of the court, an individual referred to in
 40 subsection (a) should be deprived of the privilege of operating a
 41 vehicle or motorboat, the court shall recommend the suspension of the
 42 Indiana driver's license issued to the individual for a fixed period **or**



C
O
P
Y

1 **removal of the motorboat endorsement from the operator's license**
 2 **or identification card.** The period of the suspension shall be
 3 established by the court but may not exceed one (1) year.

4 (c) Upon receiving the recommendation of the court under
 5 subsection (b), the bureau shall suspend the individual's license for the
 6 period recommended by the court **or remove the motorboat**
 7 **endorsement from the operator's license or identification card.**

8 (d) A certified abstract forwarded to the bureau under subsection
 9 (a):

10 (1) must be in the form prescribed by the bureau; and

11 (2) shall be accepted by an administrative agency or a court as
 12 prima facie evidence of the conviction and all other action stated
 13 in the abstract.

14 SECTION 8. IC 14-15-11-16 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) If a person's
 16 Indiana driver's license is suspended under section 15 of this chapter,
 17 the court that recommends the suspension of the person's driver's
 18 license may require the person, as a prerequisite to the ending of the
 19 suspension, to successfully complete a boating education course
 20 approved by the department for the purposes of this chapter.

21 (b) A court that makes the ending of the suspension of a person's
 22 Indiana driver's license conditional upon the person's completion of the
 23 boating education course under subsection (a) may also order the
 24 refunding to the person of part or all of the fine paid by the person upon
 25 conviction of the crime for which the person's license was suspended,
 26 upon the person's completion of the boating education course.

27 (c) **If a person's motorboat endorsement has been removed**
 28 **under section 15 of this chapter, the person may not obtain another**
 29 **endorsement until:**

30 (1) **at least one (1) year has elapsed since the endorsement was**
 31 **removed; and**

32 (2) **the person has successfully recompleted a boating**
 33 **education course approved by the department for purposes of**
 34 **this chapter.**

C
O
P
Y

