

## NASBLA MODEL ACT FOR MANDATORY BOATING SAFETY COURSE FOR CERTAIN VIOLATIONS

*This act is intended to set mandatory boating safety course requirements for persons who violate state or federal regulations regarding navigational rules or rules of the road. The act was approved by the membership of the National Association of State Boating Law Administrators on Sept. 10, 2007.*

*The Law Enforcement Committee developed this model act at the request of the National Boating Safety Advisory Council.*

*See also the NASBLA Model Act for Mandatory Boating Safety Education, originally adopted by the membership on Sept. 13, 2000, and subsequently approved as revised in 2005; and the NASBLA Model Act for Mandatory Boating Safety Education – Phase-in for all recreational boaters, approved by the membership in Sept. 2007.*

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1 Section 1. [*Short Title.*] This act may be cited as the Mandatory Boating Safety Course  
2 Completion Requirement Act.

1 Section 2. [*Definitions.*] As used in this act:

2 (1) “Agency” means [insert name of agency or other authority designated by the  
3 legislative body to administer the act].

4 (2) “Boating safety course” means an agency-approved boating safety classroom,  
5 internet, or home-study course.

6 (3) “Convicted” means a person who has been adjudged guilty of a violation by [insert  
7 court of jurisdiction].

8 (4) “Vessel” means a recreational vessel propelled in part or in whole by machinery, or  
9 a vessel powered by sail alone.

1 Section 3. [*Boater Education Course Required for Certain Violations.*]

2 (a) A person who is convicted of an offense resulting from the violation of a provision  
3 of [insert applicable sections regarding navigation rules violations], or of the federal rules  
4 of the road, not including equipment requirements, incorporated by reference in [insert  
5 applicable sections regarding equipment violations], when the conviction resulted from  
6 the operation of a vessel, shall be ordered by the court to complete and pass a boating  
7 safety course approved by the agency.

8 (b) Any person who has been ordered by the court to complete and pass a boating  
9 safety course pursuant to this section shall submit to the court proof of completion and  
10 passage of the course within [insert time period] of the time of conviction. The proof  
11 shall be in a form that has been approved by the agency. If the person who has been  
12 required to complete and pass a boating safety course is under eighteen (18) years of age,  
13 the court may require that the person obtain parental consent to enroll in the course. If the  
14 person does not complete and pass the boating safety course, the court may extend the  
15 period for completion or impose another penalty as prescribed by statute.

**Boating Safety Course for Certain Violations – Approved Sept. 10, 2007**

16 (c) A person who fails to complete and pass a boating safety course as required by this  
17 act commits an offense that is a [insert level of offense].

18 (d) The agency shall adopt rules and regulations to carry out this section, including  
19 approval of boating safety education courses, prescribing the forms for proof of  
20 completion and passage, approval of testing to indicate appropriate mastery of the course  
21 subject matter, and setting forth any fees to be charged to course participants.

1 Section 4. [*Effective Date.*] [Insert effective date.]