

Emily's Law in Connecticut

AN ACT ESTABLISHING A MINIMUM AGE FOR TOWING ANY PERSON BY VESSEL AND REQUIRING THE COMPLETION OF SAFE TOWING INSTRUCTION PRIOR TO THE ISSUANCE OF A SAFE BOATING CERTIFICATE.

SUMMARY:

This bill requires, with limited exceptions, a person who operates a vessel engaged in water skiing to:

1. be at least age 16;
2. hold a (a) valid U.S. Coast Guard-issued vessel operator license, (b) Department of Energy and Environmental Protection (DEEP)-issued safe boating certificate (SBC) or certificate of personal watercraft operation (CPWO), or (c) a boating safety certificate from a state with a reciprocal agreement with Connecticut; and
3. hold a DEEP-issued safe water skiing endorsement obtained after completing safe water skiing instruction.

The bill also prohibits a vessel owner from knowingly allowing someone under age 16 to operate the vessel while engaged in water skiing.

Violators of the above requirements are subject to a fine of between \$60 and \$250 for each violation.

The above requirements do not apply to towing a person or vessel during an emergency that threatens human life or property. The safe water skiing endorsement requirement also does not apply to anyone who held a valid vessel operator license, SBC, CPWO, or boating safety certificate from a reciprocal state before October 1, 2015.

The bill requires the DEEP commissioner to amend regulations that set out the content of safe boating operation courses. The revised regulations must (1) require the safe boating courses to include content on safe water skiing and (2) provide procedures for DEEP to issue and revoke safe water skiing endorsements. DEEP must include safe water skiing questions in the safe boating certificate examination.

The bill also requires the commissioner to publish on DEEP's website safe water skiing instruction equivalent to what is included in the safe boating certificate courses.

*Senate Amendment “A” replaces the original bill (File 552), which set similar requirements for anyone towing another person by line while operating a vessel. EFFECTIVE DATE: October 1, 2015, except for the provision requiring the DEEP commissioner to amend the safe boating regulations, which is effective on passage.

BACKGROUND

Water Skiing

By law, water skiing is towing anyone behind a vessel under power and similar forms of activity (CGS § 15-127). Under the law, no one may:

1. operate a motorboat engaged in water skiing unless there is a responsible person at least age 12 on board assisting the operator and observing the water skier’s progress;
2. water ski or operate a motorboat engaged in water skiing (a) anywhere water skiing is prohibited or (b) in a way that strikes or threatens to strike another person or vessel; or
3. water ski (a) from one-half hour after sunset to sunrise and (b) when weather conditions limit visibility to less than 100 yards (CGS § 15-134).

Minimum Age Requirements for Operating Motorboats

By law, a person must be at least age 12 to operate a motorboat with more than 10 horsepower (HP), unless the person is accompanied on board by someone who is at least age 18 and holds a safe boating certificate.

Table 1 describes whether a Connecticut resident is allowed under state law to operate a motorboat based on age and whether he or she has obtained a safe boating certificate (i.e., certified or uncertified).

Table 1: Motorboat Operating Privileges in Connecticut

	<i>Motorboats 10 HP and Under</i>	<i>Motorboats Over 10 HP</i>
Under age 15, uncertified	Only with onboard certified adult supervisor	Only with onboard certified adult supervisor
Age 16 and over, uncertified	No	No

Under age 12, certified	Yes	Only with onboard certified adult supervisor
Age 12 and over, certified	Yes	Yes

Related Bill

SB 868 (File 92) reported favorably by the Environment Committee, extends the definition of water skiing to include watersports performed behind a vessel whether or not the person is tethered (e.g., wake surfing). It prohibits (1) the total number of water skiers and vessel occupants from exceeding the manufacturer's specified carrying capacity and (2) operating a vessel engaged in water skiing in a way that causes wakes to damage or injure property or people.