

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0653.01 Christopher McMichael x4775

SENATE BILL 23-069

SENATE SPONSORSHIP

Hinrichsen and Will, Jaquez Lewis, Priola

HOUSE SPONSORSHIP

McLachlan and Soper,

Senate Committees

Transportation & Energy
Finance
Appropriations

House Committees

Transportation, Housing & Local Government

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENTS TO OPERATE A MOTORBOAT IN THIS**
102 **STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires an operator of a motorboat in the state to be at least 16 years of age but allows an individual who is at least 14 years of age and who has completed a motorboat safety course to operate a motorboat in the state.

The bill prohibits an individual under 16 years of age from operating a motorboat and requires any individual born after January 1,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
April 17, 2023

SENATE
3rd Reading Unamended
March 27, 2023

SENATE
Amended 2nd Reading
March 23, 2023

1984, to take a boating safety course and have a certificate of completion from that course in the individual's possession in order to operate a motorboat.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 33-13-107.1
3 as follows:

4 **33-13-107.1. Minimum age of motorboat operators - penalty**
5 **- exception.** (1) No person AN INDIVIDUAL under sixteen EIGHTEEN years
6 of age shall NOT operate a motorboat in this state except as provided in
7 this section.

8 (2) A person AN INDIVIDUAL fourteen years of age or older who
9 has not reached his or her sixteenth THE INDIVIDUAL'S EIGHTEENTH
10 birthday may operate a motorboat only if he or she THE INDIVIDUAL:

11 (a) Completes a boating safety course approved by the division of
12 parks and wildlife; and

13 (b) (I) Has POSSESSES a boating safety certificate issued by the
14 boating safety course provider. ~~in his or her possession.~~

15 (II) WHILE OPERATING A MOTORBOAT, AN INDIVIDUAL REQUIRED
16 TO OBTAIN A BOATING SAFETY CERTIFICATE PURSUANT TO THIS
17 SUBSECTION (2) SHALL KEEP THE BOATING SAFETY CERTIFICATE IN THE
18 INDIVIDUAL'S IMMEDIATE POSSESSION OR IN AN ACCESSIBLE PLACE ON THE
19 MOTORBOAT. A COURT MAY WAIVE FINES INCURRED BY AN INDIVIDUAL
20 FOR NOT HAVING THE BOATING SAFETY CERTIFICATE IN THE INDIVIDUAL'S
21 POSSESSION OR IN AN ACCESSIBLE PLACE AT THE TIME OF OPERATING A
22 MOTORBOAT IF THE INDIVIDUAL IS ABLE TO PRESENT EVIDENCE TO THE
23 COURT OF HAVING COMPLETED A BOATING SAFETY COURSE PRIOR TO THE
24 INFRACTION.

1 (3) ~~No person~~ AN INDIVIDUAL shall NOT permit or knowingly
2 authorize a motorboat to be operated by a ~~person~~ AN INDIVIDUAL under
3 ~~sixteen~~ EIGHTEEN years of age; except that a ~~person~~ AN INDIVIDUAL
4 fourteen years of age or older who has not reached ~~his or her sixteenth~~
5 THE INDIVIDUAL'S EIGHTEENTH birthday may be permitted or authorized
6 to operate a motorboat if ~~he or she~~ THE INDIVIDUAL has met the boating
7 safety and certificate requirements of subsection (2) of this section.

8 (4) ~~No~~ NEITHER AN owner or operator of a vessel livery ~~or~~ NOR an
9 agent or employee of such owner or operator shall lease, hire, or rent a
10 motorboat to or for operation by any ~~person~~ INDIVIDUAL under ~~sixteen~~
11 EIGHTEEN years of age; except that a ~~person~~ AN INDIVIDUAL fourteen
12 years of age or older who has not reached ~~his or her sixteenth~~ THE
13 INDIVIDUAL'S EIGHTEENTH birthday may be permitted or authorized to
14 operate a motorboat if ~~he or she~~ THE INDIVIDUAL has met the boating
15 safety and certificate requirements of subsection (2) of this section.

16 (5) Any ~~person~~ INDIVIDUAL who violates this section commits a
17 civil infraction and, upon conviction, ~~thereof~~, shall be punished by a fine
18 of one hundred dollars.

19 (5.5) THE REQUIREMENTS OF THIS SECTION, AND RULES
20 PROMULGATED PURSUANT TO THIS SECTION, DO NOT APPLY TO THE
21 OPERATION OF MOTORBOATS ON BODIES OF WATER LOCATED ON PRIVATE
22 PROPERTY.

23 (6) It is the intent of the general assembly that ~~no~~ general fund
24 dollars SHALL NOT be appropriated for the purpose of implementing the
25 requirements of this section.

26 **SECTION 2. Effective date - applicability.** This act takes effect
27 June 1, 2024, and applies to conduct occurring on or after said date.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.