

House Bill 158

By: Representatives Crowe of the 110th, Gambill of the 15th, McDonald of the 26th, and Williams of the 145th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to registration, operation, and sale of watercraft, so as
3 to require completion of a boater education program in order to operate and rent or lease
4 certain vessels; to provide for standards for such education program; to provide for the phase
5 in of certain requirements; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to registration, operation, and sale of watercraft, is amended by
11 revising Code Section 52-7-8.3, relating to operation of watercraft, identification, and
12 operation by minors, as follows:

13 "52-7-8.3.

14 (a) A person 16 years of age or older may operate any vessel or personal watercraft on any
15 of the waters of this state if such person has met the applicable requirements of Code
16 Section 52-7-22, and such person has in such vessel proper identification.

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17 (b) A person 12 through 15 years of age may operate a personal watercraft or Class A
18 vessel on any of the waters of this state in compliance with the provisions of this article if
19 such person:

20 (1) Is accompanied by an adult 18 years of age or older who is authorized to operate such
21 vessel under the provisions of subsection (a) of this Code section; or

22 (2) Has completed a boating education ~~course approved by the department~~ program set
23 forth in Code Section 52-7-22.

24 (c) No person between 12 through 15 years of age may operate a Class 1, Class 2, or
25 Class 3 vessel.

26 (d) No person under the age of 12 years shall operate any Class 1, 2, or 3 vessel or any
27 personal watercraft on any of the waters of this state, and no such person shall operate any
28 Class A vessel utilizing mechanical means of propulsion exceeding 30 horsepower. Such
29 person may operate a Class A vessel, other than a personal watercraft, utilizing mechanical
30 means of propulsion not exceeding 30 horsepower only where such person is accompanied
31 by an adult 18 years of age or older who is authorized to operate such vessel under the
32 provisions of subsection (a) of this Code section.

33 (e) No person having ownership or control of a vessel shall permit another person to
34 operate such vessel in violation of this Code section.

35 (f) No person shall rent, lease, or let for hire any vessel ten horsepower or more to any
36 person under 16 years of age. ~~On and after July 1, 2014, a~~ A person 16 years of age or
37 older may rent or lease any ~~vessel~~ personal watercraft or vessel utilizing mechanical means
38 of ten horsepower or more if such person has completed a boating education ~~course~~
39 ~~approved by the department~~ program set forth in Code Section 52-7-22. This subsection
40 shall not apply to any person licensed by the United States Coast Guard as a master of a
41 vessel or a nonresident who has in his or her possession proof that he or she has completed
42 a National Association of State Boating Law Administrators approved boater education
43 course or equivalency examination from another state.

44 (g) As used in this Code section, the term:

45 (1) 'Accompanied by' means in the physical presence within the vessel of a person who
 46 is not under the influence of alcohol, toxic vapors, or drugs to a degree which would
 47 constitute a violation of Code Section 52-7-12 were such person operating the vessel.

48 (2) 'Personal watercraft' shall have the same meaning as set forth in Code Section
 49 52-7-8.2.

50 (3) 'Proper identification' shall have the same meaning as in subsection (d) of Code
 51 Section 3-3-23, relating to furnishing of alcoholic beverages."

52 **SECTION 2.**

53 Said article is further amended by revising Code Section 52-7-22, relating to comprehensive
 54 boating educational programs, required completion, and exception, as follows:

55 "52-7-22.

56 (a)(1) The department shall establish a comprehensive boating education program and
 57 may seek the cooperation of boatmen, the federal government, and other states. Such
 58 education program shall require successful completion of:

59 (A) A boating safety course similar to those approved by the National Association of
 60 State Boating Law Administrators or similar organization; or

61 (B) A boater safety standards test developed by the department.

62 (2) The department may accept moneys made available under federal safety programs
 63 and may shall issue boating certificates to persons who ~~complete courses in~~ satisfy the
 64 boating education requirements of this Code section.

65 (b) ~~Effective July 1, 2014, and except~~ Except as otherwise provided by this chapter,
 66 anyone born on or after January 1, 1998, who operates any motorized vessel on the waters
 67 of this state shall complete a boating education course approved by the department prior
 68 to the operation of such vessel.

69 (c) Effective July 1, 2023, and except as otherwise provided by this chapter, anyone born
70 on or after January 1, 1994, who operates any vessel utilizing mechanical means of
71 propulsion of ten horsepower or more on the waters of this state shall complete the boating
72 education program described in subsection (a) of this Code section prior to the operation
73 of such vessel.

74 (d) Effective July 1, 2024, and except as otherwise provided by this chapter, anyone born
75 on or after January 1, 1989, who operates any vessel utilizing mechanical means of
76 propulsion of ten horsepower or more on the waters of this state shall complete the boating
77 education program described in subsection (a) of this Code section prior to the operation
78 of such vessel.

79 (e) Effective July 1, 2025, and except as otherwise provided by this chapter, anyone born
80 on or after January 1, 1984, who operates any vessel utilizing mechanical means of
81 propulsion of ten horsepower or more on the waters of this state shall complete the boating
82 education program described in subsection (a) of this Code section prior to the operation
83 of such vessel.

84 (f) Effective July 1, 2026, and except as otherwise provided by this chapter, anyone born
85 on or after January 1, 1979, who operates any vessel utilizing mechanical means of
86 propulsion of ten horsepower or more on the waters of this state shall complete the boating
87 education program described in subsection (a) of this Code section prior to the operation
88 of such vessel.

89 ~~(c)~~(g) A person shall be exempt from the ~~provisions of subsection (b)~~ requirements of this
90 Code section if he or she is:

- 91 (1) Licensed by the United States Coast Guard as a master of a vessel;
- 92 (2) Operating such vessel on a private lake or pond; or
- 93 (3) A nonresident who has in his or her possession proof that he or she has completed a
94 National Association of State Boating Law Administrators approved boater education
95 course or the equivalency from another state."

96

SECTION 3.

97 All laws and parts of laws in conflict with this Act are repealed.