

**HOUSE . . . . . No. 2457**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Lori A. Ehrlich***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to hoisting machinery licensure requirements for recreational boating organizations, municipalities, and commercial fishing vessels.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>2/16/2021</i>

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By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 2457) of Lori A. Ehrlich relative to hoisting machinery licensure requirements for recreational boating organizations, municipalities, and commercial fishing vessels. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to hoisting machinery licensure requirements for recreational boating organizations, municipalities, and commercial fishing vessels.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 146 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by inserting after the word “services.”, in line 14, the  
3 following:-

4 “Commercial fishing vessel”, any vessel from a Massachusetts port which is licensed to  
5 operate for commercial fishing purposes under the authority of chapter 130, or any vessel from a  
6 Massachusetts port which is operated for commercial fishing purposes by any person licensed  
7 under the authority of chapter 130.

8 SECTION 2. Said section 1 of chapter 146, as so appearing, is hereby amended by  
9 inserting after the word “section.”, in line 26, the following:-

10           “Recreational boating organization”, a non-profit or not for profit, recreational and non-  
11 commercial yachting or boating organization.

12           SECTION 3. Subsection (b) of section 53 of said chapter 146, as so appearing, is hereby  
13 amended by inserting after the the word “intended.”, in line 33, the following paragraph:-

14           “The commissioner may create full or partial exemptions or waivers to the adopted  
15 licensing rules and regulations under this section. The commissioner, under their authority  
16 established in this subsection, shall adopt full exemptions eliminating the licensing requirements  
17 for the following entities, no later than 6 months following the date of enactment: (i) recreational  
18 boating organizations and their members using their hoisting machinery; (ii) municipalities and  
19 municipal employees that use hoisting machinery for boats; and (iii) commercial fishing vessels  
20 that operate on-board hoisting machinery for the purposes of hauling fishing equipment;  
21 provided, however, that the hoisting machinery for said entities are fixed hoists with no more  
22 than a 5-ton capacity limit.”