

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1013

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2008

The Assembly Transportation, Public Works, and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 1013.

As reported, this amended bill, known as the "Donald W. McGloan Law," requires that the owner of a vessel required to be registered in this State is to maintain liability insurance coverage insuring against loss for bodily injury or death sustained by any person arising out of the ownership, maintenance, operation or use of that vessel. Under current law, all vessels greater than 12 feet in length and all power vessels, regardless of length, are required to be registered.

This bill requires that coverage shall be maintained in an amount or limit of \$100,000 on account of injury to, or death of, one or more than one person, in any one accident. Under the bill, a person who owns or operates a vessel registered in this State without such liability insurance is subject, for the first offense, to a fine of not less than \$300 nor more than \$1,000, and his right to operate a vessel on the waters of this State shall be suspended for a period of one year. Subsequent convictions subject the person to a fine of up to \$5,000, imprisonment for 14 days, and suspension of his right to operate a vessel for a period of two years.

The bill requires an insurance identification card to be in the possession of the owner or operator of a vessel registered in this State at any time it is operated on the waters of this State and to be exhibited when requested by a law enforcement officer. Violators would face a fine of \$75. However, if a person can exhibit an insurance identification card which was valid on the day he was charged, the judge may dismiss the charge but impose court costs. This bill also requires an owner or operator of such a vessel operating on the waters of this State, who fails to produce an insurance identification card, to terminate the voyage and immediately return the vessel to its point of departure or proceed to another location as may be designated by the law enforcement officer. A law enforcement officer is not required, however, to escort the vessel to its point of departure or other

designated location, and may not be held liable for any claim arising from the termination of the voyage, return of the vessel to its point of departure or to such other designated location, or disposition of the vessel at any such location. A person who fails to return the vessel to its point of departure or other designated location is to be subject to a fine of not more than \$500 or to a term of imprisonment not to exceed 60 days or both.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended the definition of vessel to include any boat or watercraft, other than a seaplane on water, used and capable of being used as a means of transportation on water, and not just those boats powered with a motor. The committee clarified that liability insurance coverage is to be maintained on vessels that are required to be registered in this State. The committee also amended the bill's title to make clear that this bill supplements Title 12 of the Revised Statutes. The committee updated the reference to the New Jersey Motor Vehicle Commission to adopt rules and regulations.