

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1517

# STATE OF NEW JERSEY

DATED: FEBRUARY 15, 1996

The Assembly Law and Public Safety Committee favorably reports Assembly Bill No. 1517.

Assembly Bill No. 1517 amends section 2 of P.L.1987, c.453 (C.12:7-61) to clarify that persons under the age of 16 have until July 1, 1996 in order to complete an approved boat safety course that would permit them to operate a power vessel on the tidal waters of this State.

Under the provisions of P.L.1995, c.401, the age restrictions for operating a power boat on the tidal waters of New Jersey were changed. In adopting those changes, the cut-off date for completing an approved boat safety course, which would permit persons under the age of 16 to operate a power vessel on the tidal waters of this State, was inadvertently set for the effective date of the act (January 10, 1996). As a result, persons under the age of 16 who had planned to take the required approved boat safety course were, without warning, denied that opportunity.

This bill would give those persons a six month window of opportunity in which to take the required boat safety course. Under the provisions of the bill, a person under the age of 16 would have until July 1, 1996 in order to take the necessary boat safety course.

For statutory consistency and uniformity, the bill also amends the section to clarify that any boat operator's license issued prior to July 1, 1996 to a person under the age of 16 is valid and the holder is permitted to operate a power vessel on the tidal waters of this State until the expiration date of that license.

Finally, the bill amends section 17 of P.L.1995, c.401 to provide a waiver from the provisions of the "Administrative Procedure Act," P.L.1968, 410 (C.52:14B-1 et seq.) for Superintendent of State Police. The superintendent is directed under this section to develop and administer a one-time-only written examination which experienced boaters who wish to operate personal watercraft (e.g. jet-ski) may take in lieu of the required boat safety course. The examination, as provided in the law, must be taken before July 10, 1996. The waiver is necessary because the adoption of rules and regulations under the

"Administrative Procedure Act" can be an involved and lengthy process which could extend beyond the statutory cut-off date for this exam and, therefore, deny these individuals the option the Legislature intended in enacting section 17 of P.L.1995, c.401.