

AMENDED IN ASSEMBLY MARCH 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1725**

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**Introduced by Assembly Member Swanson**

February 3, 2010

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~~An act to add Section 5007.7 to the Public Resources Code, relating to the state park system.~~ *An act to add Section 671 to the Harbors and Navigation Code, relating to boating.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1725, as amended, Swanson. ~~State park system: benches: deaths in the water: warnings.~~ *Boating: vessel operation by a minor.*

*Existing law regulates the operation of vessels, including imposing safety requirements on the operation of vessels, and authorizes the Department of Boating and Waterways to issue regulations to establish minimum safety standards for boats.*

*This bill would enact the Boating Certification and Child Safety Act, which would prohibit a person under 18 years of age from operating a vessel that is propelled by an engine unless that person is being supervised by a person who is 18 years of age or older and who has in his or her possession a vessel operator certificate issued by the department.*

*The bill would require the department to issue a vessel operator certificate to a person who provides the department with proof satisfactory to the department that the person has passed a vessel operator test approved by the department. The bill would require the department to charge a fee of no more than \$13 for the vessel operator certificate, and would require the fee revenue to be used to pay for the department's costs for implementing the act. The bill also would require*

*the department to provide a vessel operator test on the department's Internet Web site and to provide links from its Internet Web site to other vessel operator tests that are on the Internet and have been approved by the department.*

~~Under existing law, the Department of Parks and Recreation administers and manages the state park system. The state park system consists of specified units, including state beaches.~~

~~This bill would enact the Safe Waters Act, which would require the department to erect on a state beach, or any other unit of the state park system that encompasses a beach, signs that notify the public of unsafe conditions, within 5 days of a death occurring in the water. That requirement would not apply if the death occurring in the water was the result of natural causes.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 671 is added to the Harbors and
- 2     Navigation Code, to read:
- 3     671. (a) This section shall be known, and may be cited, as the
- 4     Boating Certification and Child Safety Act.
- 5     (b) A person under 18 years of age shall not operate a vessel
- 6     that is propelled by an engine, regardless of whether the engine
- 7     is the principal source of propulsion, unless that person is being
- 8     supervised by a person who is 18 years of age or older and who
- 9     has in his or her possession a vessel operator certificate issued by
- 10    the department pursuant to this section.
- 11    (c) (1) The department shall issue a vessel operator certificate
- 12    to a person who provides the department with proof satisfactory
- 13    to the department that the person has passed a vessel operator test
- 14    approved by the department. The vessel operator certificate shall
- 15    be valid for the life of the person to whom it is issued.
- 16    (2) The department shall charge a fee of no more than thirteen
- 17    dollars (\$13) for a vessel operator certificate.
- 18    (3) The fee revenue received pursuant to this section shall be
- 19    used to pay the department's costs for implementing this section.
- 20    (d) The department shall provide a vessel operator test on the
- 21    department's Internet Web site and shall provide links from its

1 *Internet Web site to other vessel operator tests that are on the*  
2 *Internet and have been approved by the department.*

3 ~~SECTION 1. Section 5007.7 is added to the Public Resources~~  
4 ~~Code, to read:~~

5 ~~5007.7. (a) This section shall be known, and may be cited, as~~  
6 ~~the Safe Waters Act.~~

7 ~~(b) The department shall erect on a state beach, or any other~~  
8 ~~unit of the state park system that encompasses a beach, signs that~~  
9 ~~notify the public of unsafe conditions, within five days of a death~~  
10 ~~occurring in the water.~~

11 ~~(c) Subdivision (b) does not apply if the death occurring in the~~  
12 ~~water was the result of natural causes.~~