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## HOUSE BILL NO. 905

House Amendments in [ ] — February 14, 1998

*A BILL to amend and reenact § 29.1-700 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 29.1-749.1, and to repeal § 29.1-747 of the Code of Virginia, relating to instruction for personal watercraft operators; penalty.*

Patrons—Tata, Callahan, Croshaw, Wagner and Wardrup

Referred to Committee on Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

**1. That § 29.1-700 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 29.1-749.1 as follows:**

§ 29.1-700. Definitions.

As used in this chapter, unless the context clearly requires a different meaning:

"Motorboat" means any vessel propelled by machinery whether or not the machinery is the principal source of propulsion.

"Operate" means to navigate or otherwise control the movement of a motorboat or a vessel.

"Owner" means a person, other than a lien holder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.

"Personal watercraft" means a motorboat less than sixteen feet in length which uses [ ~~an outboard motor, or~~ ] an inboard motor powering a jet pump, as its primary motive power and which is designed to be operated by a person sitting, standing, or kneeling on, rather than in the conventional manner of sitting or standing inside, the vessel.

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

"Waters of the Commonwealth" means any public waters within the territorial limits of the Commonwealth, the adjacent marginal sea and the high seas when navigated as a part of a journey or ride to or from the Virginia shore.

§ 29.1-749.1. Personal watercraft instruction; rental agents.

A. It shall be unlawful for any rental agent [ ~~or lessor~~ ] to rent [ ~~or lease~~ ] a personal watercraft to any person without providing instruction to those who will be operating a rented [ ~~or leased~~ ] personal watercraft. The content and methods of instruction shall be approved by the Director. The instruction shall include, at a minimum, the basic laws governing motorboat operation, specific operating requirements of the personal watercraft being rented, motorboat safety equipment requirements, and requirements in the case of a reportable accident.

B. The rental agent [ ~~or lessor~~ ] shall provide the operator with a statement that the instruction has been delivered and received. The statement shall be dated and signed by the rental agent [ ~~or lessor~~ ] and the operator. The rental agent [ ~~or lessor~~ ] shall retain a copy of this statement for a minimum of thirty days after the termination of the rental agreement [ ~~or lease~~ ]. The operator shall retain the statement on his person when he is operating the rented [ ~~or leased~~ ] personal watercraft. The rental agent [ ~~or lessor~~ ] or operator shall present the statement when requested by a law-enforcement officer.

C. A violation of any provision of this section shall constitute a Class 4 misdemeanor.

**2. That § 29.1-747 of the Code of Virginia is repealed.**

**3. That the provisions of this act shall become effective on January 1, 1999.**

ENGROSSED

HB905E