

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number** HB2374

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Dudley

**3. Committee** Agriculture, Chesapeake and Natural Resources

**4. Title** Mandatory boating safety education; penalty.

**5. Summary/Purpose:**

Makes it a Class 4 misdemeanor for anyone to operate a motorboat without having successfully completed an approved boating safety education course. The education requirement is phased-in so that by July 1, 2016, all motorboat operators will have been required to complete and pass the course or an equivalency exam. The Board is directed to develop and administer the mandatory boating safety education program through the promulgation of regulations, taking into account comments from the public. There are a number of ways a person can comply with the law other than successfully completing an approved course, such as passing an equivalency examination, possessing a valid license issued to maritime personnel, etc.

**6. Fiscal Impact Estimates are:** Preliminary, see item 8, below.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** According to the Department of Game and Inland Fisheries, any fiscal impact the legislation may have on the agency is expected to be minimal. To comply with the provisions of the bill the agency will likely need to maintain a database of those individuals who have completed the boating safety training or have otherwise satisfied the requirement, and establish regulations.

Game and Inland Fisheries, the Coast Guard auxiliary and private vendors currently offer approved courses, many of which are available on-line.

The penalty for a Class 4 misdemeanor is a fine of not more than \$250. Any revenue will be deposited to the state's Literary Fund.

Any impact the bill may have on the court system is expected to be minimal.

**9. Specific agency or political subdivisions affected:** Court system and the Department of Game and Inland Fisheries.

**10. Technical amendment necessary:** Yes. The Class 4 misdemeanor penalty provision in §29.1-735.2 H appears to be unnecessary as the bill also establishes a Class 4 misdemeanor penalty in §29.1-748 A 2 for the offense of operating a personal watercraft without complying with the boating safety education requirements established in this bill.

**11. Other comments:** HB1627 also establishes mandatory boating safety education requirements.

**Date:** 01/15/07/tmw

**Document:** G:\2007 Session\Fiscal Impact Statements\Hb2374.Doc

**cc:** Secretary of Natural Resources