

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/29/17*

# A Bill

SENATE BILL 634

5 By: Senator B. Sample  
6 *By: Representative Holcomb*  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE BOATER  
10 TRAINING AND BOATER SAFETY PROGRAM; AND FOR OTHER  
11 PURPOSES.  
12  
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## Subtitle

15 TO AMEND THE LAW CONCERNING THE BOATER  
16 TRAINING AND BOATER SAFETY PROGRAM.  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 27-101-501(b), concerning the boater  
22 training and boater safety program, is amended to read as follows:

23 (b)(1) The commission is authorized and encouraged to establish,  
24 maintain, and operate a program of boater training and boater safety in this  
25 state.

26 (2) ~~Beginning January 1, 2010, the~~ The program shall include  
27 without limitation:

28 (A)(i) A course of instruction designed to teach the safe  
29 and proper handling of motorboats, personal watercraft, and any other related  
30 matters ~~as shall be deemed~~ determined appropriate by the commission.

31 (ii) ~~With regard to personal watercraft, the course~~  
32 ~~of instruction shall include electronic simulation of personal watercraft~~  
33 ~~operation and actual hands-on familiarization with the personal watercraft~~  
34 The course of instruction under subdivision (b)(2)(A)(i) of this section may  
35 be administered through an online study course approved by the commission;  
36 and



1                    ~~(B)(i) A written~~ An online or written examination that  
 2 shows the applicant's ability to have common knowledge to exercise ordinary  
 3 and reasonable control in the operation of a motorboat and a personal  
 4 watercraft.

5                    (3) The course of instruction may be offered in cooperation with  
 6 schools, private clubs, and organizations and may be offered by the  
 7 commission in areas where requested and where other sponsorship is  
 8 unavailable.

9                    (4) The commission shall also prepare and disseminate  
 10 information on water safety to the public, including informational pamphlets,  
 11 which shall be made available at popular tourist locations.

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 13                    SECTION 2. Arkansas Code § 27-101-501(d), concerning the boater  
 14 training and boater safety program, is amended to read as follows:

15                    (d)(1) In order to operate a motorboat or a personal watercraft in  
 16 ~~Arkansas, all Arkansas residents~~ a person born on or after January 1, 1986,  
 17 and of legal age to operate a motorboat or personal watercraft ~~must~~ shall  
 18 have successfully completed+

19                    ~~(A) A~~ a commission-approved safe boating course and  
 20 examination under subdivision (b)(2) of this section to obtain a ~~permanent~~  
 21 boater education certificate; ~~or~~

22                    ~~(B) A questionnaire to obtain a temporary boater education~~  
 23 ~~certificate under subsection (d)(4) of this section.~~

24                    (2) The commission shall issue boating education certificates  
 25 and furnish a copy of the state laws pertaining to the operation of a  
 26 motorboat or personal watercraft or informational material based on these  
 27 laws to persons successfully completing an approved safe boating course and  
 28 examination.

29                    (3) Valid boating education certificates issued by other states  
 30 to nonresidents shall be honored by this state if the boating education  
 31 course is approved by the National Association of State Boating Law  
 32 Administrators.

33                    ~~(4) Prior to operating a motorboat or a personal watercraft on~~  
 34 ~~the waters of this state, a nonresident or resident born on or after January~~  
 35 ~~1, 1986, and of legal age to operate a motorboat or a personal watercraft may~~  
 36 ~~obtain a temporary boater education certificate, which shall be valid for~~

1 ~~thirty (30) days, by completing a questionnaire developed by the commission.~~  
2 ~~(5)(A) The application of any person under eighteen (18) years~~  
3 ~~of age for a permanent or temporary boater education certificate shall be~~  
4 ~~signed and verified before a person authorized to administer oaths by either~~  
5 ~~the custodial parent or guardian of the applicant.~~

6 ~~(B) For purposes of this section, duly authorized agents~~  
7 ~~of the commission shall be authorized to administer oaths without charge.~~

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9 */s/B. Sample*  
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