

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****HB3484**

Introduced 2/18/2025, by Rep. Michael J. Kelly

SYNOPSIS AS INTRODUCED:

See Index

Amends the Boat Registration and Safety Act. Prohibits a person from falsifying information on any application to the Department of Natural Resources that is required to be provided to the Department by the Act. Provides that the navigation lights shall, at minimum, have an intensity so as to be visible at the minimum ranges as set forth in the Code of Federal Regulations. Provides that it is unlawful to operate a motorboat without a whistle, horn, or other appliance capable of producing a blast of 2 seconds or more duration and having an audible distance as set forth in the Code of Federal Regulations (rather than being audible for at least one-half mile). Prohibits a motorboat operator from operating a motorboat less than 26 feet in length that is equipped by the manufacturer with an engine cutoff switch if the switch is not in use while the motorboat is operating on plane or above displacement speed. Prohibits a person from operating a watercraft without first verifying that the engine cut-off switch is operational and fully functional and properly attaching the lanyard or wireless attachment to the operator's body or to the clothing or personal flotation device being worn by the operator. Provides that a power-driven vessel operating in narrow channels and proceeding downbound with a following current (rather than downstream) shall have the right-of-way over an upbound vessel, shall propose the manner and place of passage, and shall imitate the maneuvering signals as required by law. Changes the ages at which a person may operate a motorboat based on the speed of the motorboat. Prohibits certain marijuana use within certain areas of a watercraft while upon waters in the State. Requires the Department to outline the application process for passenger-for-hire licenses or rental boat licenses by administrative rule. Makes other changes.

LRB104 12161 LNS 22262 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Boat Registration and Safety Act is amended
5 by changing Sections 1-2, 2-2, 3-11, 4-2, 4-4, 4-11, 5-13,
6 5-18, 7-1, and 7-2 and by adding Sections 5-24 and 5-25 as
7 follows:

8 (625 ILCS 45/1-2) (from Ch. 95 1/2, par. 311-2)

9 Sec. 1-2. Definitions. As used in this Act, unless the
10 context clearly requires a different meaning:

11 "Airboat" means a vessel that is typically flat-bottomed
12 and propelled by an aircraft-type propeller powered by an
13 engine.

14 "Boating accident" means a collision, accident, or
15 casualty involving a vessel in or upon, or entering into or
16 exiting from, the water, including capsizing, collision with
17 another vessel or object, sinking, personal injury, death,
18 disappearance of a person from on board under circumstances
19 that indicate the possibility of death or injury, or property
20 damage to any vessel or dock.

21 "Competent" means capable of assisting a water skier in
22 case of injury or accident.

23 "Consideration" means an economic benefit, inducement,

1 right, or profit, including pecuniary payment accruing to an
2 individual, person, or entity, but not including a voluntary
3 sharing of the actual expense of the voyage, by monetary
4 contribution or donation of fuel, food, beverage, or other
5 supplies.

6 "Dealer" means any person who engages in the business of
7 manufacturing, selling, or dealing in, on consignment or
8 otherwise, any number of new watercraft or 5 or more used
9 watercraft of any make during the year, including any
10 off-highway vehicle dealer or snowmobile dealer or a person
11 licensed as a new or used vehicle dealer who also sells or
12 deals in, on consignment or otherwise, any number of
13 watercraft as defined in this Act.

14 "Department" means the Department of Natural Resources.

15 "Inland Rules" means the Inland Navigation Rules Act of
16 1980.

17 "International regulations" means the International
18 Regulations for Preventing Collisions at Sea, 1972, including
19 annexes currently in force for the United States.

20 "Leeward side" means the side of a vessel's sail that is
21 facing away or sheltered from the wind.

22 "Lifeboat" means a small boat kept on board a larger boat
23 for use in an emergency.

24 "Livery" means a person, corporation, company, business,
25 or entity that advertises a livery watercraft for use by
26 another, in exchange for any type of consideration and does

1 not provide the renter or lessee with a captain, crew, or any
2 staff or personnel to operate, oversee, maintain, or manage
3 the watercraft.

4 "Motorboat" or "power-driven vessel" means any vessel
5 propelled by machinery whether such machinery is a principle
6 source of propulsion.

7 "Nonpowered watercraft" or "human-powered watercraft"
8 means any canoe, kayak, kiteboard, paddleboard, ribbed
9 inflatable, or any other watercraft propelled by oars,
10 paddles, or poles but not powered by sail, canvas, human body
11 part, or machinery of any sort.

12 "Operate" means to use, navigate, employ, or otherwise be
13 in actual physical control of a motorboat or vessel.

14 "Operator" means a person who operates or is in actual
15 physical control of a watercraft.

16 "Owner" means a person, other than a secured party, having
17 property rights or title to a watercraft. "Owner" includes a
18 person entitled to the use or possession of a motorboat
19 subject to an interest in another person, reserved or created
20 by agreement and securing payment of performance of an
21 obligation. "Owner" does not include a lessee under a lease
22 not intended as security.

23 "Passenger" means an individual carried on the vessel.
24 "Passenger" does not mean:

25 (1) the owner or individual representative of the
26 owner, or in the case of a chartered vessel, an individual

1 charterer or individual representative of the charterer,
2 but in no case shall this exemption found in this
3 paragraph apply to more than one person that is physically
4 present on a vessel at any one time;

5 (2) the master; or

6 (3) a member of the crew engaged in the business of the
7 vessel who has not contributed consideration for carriage
8 and who is paid for on board services.

9 "Passenger for hire" means a passenger for whom
10 consideration is contributed as a condition of carriage on the
11 vessel.

12 "Person" means any individual, firm, corporation,
13 partnership, or association, and any agent, assignee, trustee,
14 executor, receiver, or representative thereof.

15 "Personal flotation device" or "PFD" means a device that
16 is approved by the Commandant, U.S. Coast Guard, under Part
17 160 of Title 46 of the Code of Federal Regulations.

18 "Personal injury" means any injury requiring treatment
19 beyond first aid.

20 "Personal watercraft" means a vessel propelled by a water
21 jet pump or other machinery as its primary source of motive
22 power and designed to be operated by a person sitting,
23 standing, or kneeling on the vessel, rather than within the
24 confines of a hull.

25 "Principally operated" means the vessel is or will be
26 primarily operated within the jurisdiction of the State during

1 a calendar year.

2 "Recreational boat" means any vessel manufactured or used
3 primarily for noncommercial use, or leased, rented, or
4 chartered to another for noncommercial use.

5 "Sailboat" or "sailing vessel" means any vessel under sail
6 so long as the propelling machinery, if fitted, is not being
7 used.

8 "Seaplane" means any aircraft designed to maneuver on the
9 water.

10 "Specialty prop-craft" means a vessel that is similar in
11 appearance and operation to a personal watercraft but that is
12 powered by an outboard or propeller driven motor.

13 "Throwable PFD" has the meaning provided in 33 CFR 175.13.

14 "Underway" applies to a vessel or watercraft at all times
15 except when it is moored at a dock or anchorage area.

16 "Use" applies to all vessels on the waters of this State,
17 whether moored or underway.

18 "Vessel" or "watercraft" means every device or boat
19 ~~watercraft~~ used or capable of being used as a means of
20 transportation on water, except a seaplane on the water, air
21 mattress or similar device, and boats used for concession
22 rides in artificial bodies of water designed and used
23 exclusively for such concessions.

24 "Waters of this State" means any water within the
25 jurisdiction of this State.

26 "Wearable U.S. Coast Guard approved personal flotation

1 device", "wearable U.S. Coast Guard approved PFD", and
2 "wearable PFD" have the meaning provided for "wearable PFD" in
3 33 CFR 175.13.

4 "Windward side" means the side of a vessel's sail that has
5 the wind blowing into the sail.

6 "Wing in Ground" (WIG) vessel means a multimodal vessel
7 which, in its main operational mode, flies in close proximity
8 to the surface utilizing surface-effect action.

9 (Source: P.A. 102-595, eff. 6-1-22.)

10 (625 ILCS 45/2-2) (from Ch. 95 1/2, par. 312-2)

11 Sec. 2-2. Inspection; removal; impoundment.

12 (a) Agents of the Department or other duly authorized
13 police officers may board and inspect any watercraft ~~boat~~ at
14 any time for the purpose of determining if this Act is being
15 complied with. If the boarding officer or agent discovers any
16 violation of this Act, he may issue a summons to the operator
17 of the boat requiring that the operator appear before the
18 circuit court for the county within which the offense was
19 committed.

20 (b) Every watercraft ~~vessel~~ subject to this Act, if under
21 way and upon being hailed by a designated law enforcement
22 officer, must stop immediately and lay to.

23 (c) Agents of the Department and other duly authorized
24 police officers may enforce all federal laws and regulations
25 which have been mutually agreed upon by the federal and state

1 governments and are applicable to the operation of watercraft
2 on navigable waters and federal impoundments where concurrent
3 jurisdiction exists between the federal and state governments.

4 (d) Agents of the Department and other duly authorized
5 police officers may seize and impound, at the owner's or
6 operator's expense, any watercraft involved in a boating
7 accident or a violation of Section 3A-21, 5-1, 5-2, or 5-16 of
8 this Act.

9 (e) If a watercraft is causing a traffic hazard because of
10 its position on a waterway or its physical appearance is
11 causing the impeding of traffic, its immediate removal from
12 the waterway by a towing service may be authorized by a law
13 enforcement agency having jurisdiction.

14 (f) Whenever a peace officer reasonably believes that a
15 person under arrest for a violation of Section 5-1, 5-21 or
16 5-16 of this Act or similar provision of a local ordinance, is
17 likely, upon release, to commit a subsequent violation of
18 Section 5-1, 5-21 or 5-16 or a similar provision of a local
19 ordinance, the arresting officer shall have the watercraft
20 which the person was operating at the time of the arrest
21 impounded for a period of not more than 12 hours after the time
22 of the arrest. The watercraft may be released by the arresting
23 law enforcement agency without impoundment, or may be released
24 prior to the end of the impoundment period, however, if:

25 (1) the watercraft was not owned by the person under
26 arrest, and the lawful owner requesting release possesses

1 proof of ownership, and would not, as determined by the
2 arresting law enforcement agency: (i) indicate a lack of
3 ability to operate a watercraft in a safe manner, or (ii)
4 otherwise, by operating the watercraft, be in violation of
5 this Act; or

6 (2) the watercraft is owned by the person under
7 arrest, and the person under arrest gives permission to
8 another person to operate the watercraft, and the other
9 person would not, as determined by the arresting law
10 enforcement agency: (i) indicate a lack of ability to
11 operate a watercraft in a safe manner, or (ii) otherwise,
12 by operating the watercraft, be in violation of this Act.

13 (Source: P.A. 93-156, eff. 1-1-04.)

14 (625 ILCS 45/3-11) (from Ch. 95 1/2, par. 313-11)

15 Sec. 3-11. Penalty. No person shall at any time:

16 (a) falsely alter or change in any manner a certificate of
17 number issued under the provisions hereof; or

18 (b) falsify any record required by this Act; or

19 (c) falsify information on any application to the
20 Department that is required to be provided to the Department
21 by this Act; or

22 (d) counterfeit any form of license provided for by this
23 Act.

24 (Source: P.A. 100-469, eff. 6-1-18.)

1 (625 ILCS 45/4-2) (from Ch. 95 1/2, par. 314-2)

2 Sec. 4-2. Navigation lights.

3 A. Watercraft subject to this Section shall be divided
4 into classes as follows:

5 1. Class 1: Less than 16 feet in length.

6 2. Class 2: 16 feet or over and less than 26 feet in
7 length.

8 3. Class 3: 26 feet or over and less than 40 feet in
9 length.

10 4. Class 4: 40 feet or over and less than 65 feet in
11 length.

12 B. Every motorboat, underway from sunset to sunrise or
13 underway in weather causing reduced visibility, shall carry
14 and exhibit the following United States Coast Guard approved
15 lights when underway and, during such time, shall not use any
16 other lights that may be mistaken for or interfere with those
17 prescribed as follows:

18 1. A Class 1 or Class 2 motorboat shall carry the
19 following lights:

20 (a) A bright white light aft to show all around the
21 horizon; and

22 (b) A combined light in the fore part of the
23 watercraft and lower than the white light aft, showing
24 green to starboard and red to port, so fixed as to
25 throw the light from right ahead to 2 points (22.5
26 degrees) abaft the beam on their respective sides.

1 2. A Class 3 or Class 4 motorboat shall carry the
2 following lights:

3 (a) A bright white light in the fore part of the
4 watercraft as near the stern as practicable, so
5 constructed as to show the unbroken light over an arc
6 of the horizon of 20 points (225 degrees) of the
7 compass, so fixed as to throw the light 10 points
8 (112.5 degrees) on each side of the watercraft,
9 namely, from right ahead to 2 points (22.5 degrees)
10 abaft the beam on either side;

11 (b) A bright white light aft, mounted higher than
12 the white light forward, to show all around the
13 horizon; and

14 (c) On the starboard side, a green light so
15 constructed as to show an unbroken light over an arc of
16 the horizon of 10 points (112.5 degrees) of the
17 compass, so fixed as to throw the light from right
18 ahead to 2 points (22.5 degrees) abaft the beam on the
19 starboard side. On the port side, a red light so
20 constructed as to show an unbroken light over an arc of
21 the horizon of 10 points (112.5 degrees) of the
22 compass, so fixed as to throw the light from right
23 ahead to 2 points (22.5 degrees) abaft the beam on the
24 port side. The side lights shall be fitted with
25 inboard screens so set as to prevent these lights from
26 being seen across the bow.

1 3. A Class 1 or Class 2 motorboat propelled by sail
2 alone shall exhibit the combined light prescribed by
3 paragraph (1) and a 12-point (135 degrees) white light
4 aft. A Class 3 or Class 4 motorboat, when so propelled,
5 shall exhibit the colored side lights, suitably screened
6 as prescribed by paragraph (2) and a 12-point (135
7 degrees) white light aft.

8 4. Every white light prescribed by this Section shall
9 be of such character as to be visible at a distance of at
10 least 2 miles. Every colored light prescribed by this
11 Section shall be of such character as to be visible at a
12 distance of at least one mile. As used in this subsection
13 "visible", when applied to lights, means visible on a dark
14 night with clear atmosphere.

15 5. If propelled by sail and machinery, a motorboat
16 shall carry the lights required by this Section for a
17 motorboat propelled by machinery only.

18 6. All other watercraft over 65 feet in length and
19 those propelled solely by wind effect on the sail shall
20 display lights prescribed by federal regulations.

21 C. Nonpowered watercraft shall carry, ready at hand, a
22 lantern or flashlight showing a white light that shall be
23 exhibited in sufficient time to avert collision. Manually
24 propelled watercraft used on the waters of this State where
25 power-driven vessels are prohibited are exempt from the
26 provisions of this Section.

1 D. Any watercraft may carry and exhibit the lights
2 required by the international regulations in lieu of the
3 lights required by subsection B of this Section.

4 E. All watercraft, when anchored, other than in a special
5 anchorage area as defined in 33 CFR 109.10, shall, from sunset
6 to sunrise, carry and display a steady white light visible all
7 around the horizon for a distance of no less than 2 miles.

8 F. The lights prescribed in this Section shall at minimum
9 have an intensity so as to be visible at the minimum ranges as
10 set forth in 33 CFR 83.22 ~~(Blank)~~.

11 G. (Blank).

12 (Source: P.A. 102-595, eff. 6-1-22.)

13 (625 ILCS 45/4-4) (from Ch. 95 1/2, par. 314-4)

14 Sec. 4-4. Whistles. It is unlawful to operate a motorboat
15 without a mouth, hand or power operated whistle, horn or other
16 appliance, capable of producing a blast of 2 seconds or more
17 duration and having an audible distance as set forth in 33 CFR
18 86.01 for at least one half mile.

19 (Source: P.A. 82-783.)

20 (625 ILCS 45/4-11) (from Ch. 95 1/2, par. 314-11)

21 Sec. 4-11. Engine cut-off switch.

22 (a) As used in this Section:

23 ~~"Engine cut-off switch link" means the lanyard or wireless~~
24 ~~cut off device used to attach the motorboat operator to the~~

1 ~~engine cut-off switch installed on the motorboat.~~

2 "Engine cut-off switch" means an emergency switch
3 installed on a motorboat that:

4 (1) is designed to shut off the engine if:

5 (A) the motorboat operator using a lanyard
6 attachment activates the switch by falling overboard
7 or otherwise moving beyond the length of the lanyard;
8 or

9 (B) the motorboat operator or a passenger
10 using a wireless attachment activates the switch by
11 falling overboard and submerging a man-overboard
12 transmitter; and

13 (2) attaches:

14 (A) physically to the motorboat operator
15 through the use of a lanyard worn by the operator; or

16 (B) wirelessly through the use of a
17 water-activated man-overboard transmitter worn by the
18 motorboat operator or any similarly equipped passenger
19 on the motorboat. means an operational emergency
20 cut-off engine stop switch installed on a motorboat
21 that attaches to a motorboat operator by an engine
22 cut-off switch link.

23 (b) A motorboat operator may not operate a motorboat less
24 than 26 feet in length that is equipped by the manufacturer
25 with an engine cutoff switch and such switch is not in use
26 while the motorboat is operating on plane or above

1 displacement speed. No person may operate a watercraft without
2 first verifying that the engine cut-off switch is operational
3 and fully functional and properly attaching the lanyard or
4 wireless attachment, as appropriate for the specific
5 motorboat, to the operator's body or to the clothing or
6 personal flotation device being worn by the operator.

7 (c) The requirement under paragraph (1) of subsection (a)
8 shall not apply if:

9 (A) the main helm of the covered vessel is installed
10 within an enclosed cabin; or

11 (B) the vessel does not have an engine cut-off switch.
12 ~~No person may operate any motor boat, including personal~~
13 ~~watercraft or specialty prop craft, equipped with an~~
14 ~~engine cut off switch while the engine is running and the~~
15 ~~motorboat is underway without verifying that the engine~~
16 ~~cut off switch is operational and fully functional and:~~

17 ~~(1) the engine cut off switch link is properly~~
18 ~~attached to his or her person, clothing or worn PFD, as~~
19 ~~appropriate for the specific vessel; or~~

20 ~~(2) activating the wireless cut off system.~~

21 (Source: P.A. 96-1033, eff. 7-14-10.)

22 (625 ILCS 45/5-13) (from Ch. 95 1/2, par. 315-8)

23 Sec. 5-13. Traffic rules.

24 A. The area straight ahead of a vessel to the point that is
25 22.5 degrees beyond the middle of the vessel on the starboard

1 side of the watercraft shall be designated the danger zone. An
2 operator of a watercraft shall yield ~~the right of way~~ to any
3 other watercraft occupying or entering into the danger zone
4 that may result in collision.

5 A-5. Head-on situation.

6 (1) If 2 power-driven vessels are meeting head-on or
7 nearly head-on courses so as to involve risk of collision,
8 each shall alter course to starboard so that each shall
9 pass on the port side of the other.

10 (2) A vessel proceeding along the course of a narrow
11 channel or canal shall keep as near to the outer limit of
12 the channel or canal that lies on the starboard side as is
13 safe and practicable.

14 (3) A power-driven vessel operating in narrow channels
15 and proceeding downbound with a following current
16 downstream shall have the right-of-way over an upbound
17 vessel, shall propose the manner and place of passage, and
18 shall imitate the maneuvering signals as required by law at
19 vessel proceeding upstream. The vessel proceeding upstream
20 shall yield as necessary to permit safe passing.

21 B. Crossing. As used in this Section, "crossing" means 2
22 or more watercraft traveling in directions that would have the
23 path of travel of the watercraft intersect each other.

24 (1) If 2 power-driven vessels are crossing so as to
25 involve the risk of collision, the vessel that has the
26 other on the starboard side shall keep out of the way and

1 shall avoid crossing ahead of the other vessel.

2 (2) A power-driven vessel crossing a river shall keep
3 out of the way of a power-driven vessel ascending or
4 descending the river.

5 (3) A vessel may not cross a narrow channel or canal if
6 the crossing impedes the passage of a vessel that can only
7 safely navigate within the channel or canal.

8 C. Overtaking.

9 (1) A vessel overtaking any other shall give way to
10 the vessel being overtaken.

11 (2) If a vessel operator is in doubt as to whether he
12 or she is overtaking another vessel, the operator shall
13 assume he or she is overtaking the other vessel and shall
14 act accordingly.

15 (3) Any subsequent alteration of the bearing between
16 the 2 vessels shall not make the overtaking vessel a
17 crossing vessel within the meaning of this Section or
18 relieve the overtaking operator of the duty to keep clear
19 of the overtaken vessel until finally past and clear.

20 (4) When overtaking in a narrow channel or canal, the
21 operator of a power-driven vessel intending to overtake
22 another power-driven vessel shall proceed to pass safety
23 only after indicating his or her intention by sounding the
24 horn as follows:

25 (a) one short blast from the horn signifies a
26 request to pass on the overtaken vessel's starboard

side;

(b) 2 short blasts from the horn signify a request to pass on the overtaken vessel's port side.

(5) The operator of the power-driven vessel being overtaken shall:

(a) acknowledge the request by sounding the same signal; or

(b) sound 5 short blasts from the horn to indicate danger or to warn the overtaking vessel not to pass.

No response from the overtaken vessel shall be interpreted as an indication of danger and is the same as if 5 short blasts from the horn were sounded. In the absence of an audible signal or horn, a light signal device using the appropriate number of rapid bursts of light may be used.

D. Sailing vessels.

(1) The operator of a power-driven vessel shall yield the right-of-way to any nonpowered or sailing vessel unless the nonpowered vessel is overtaking the power-driven vessel or when a large craft is navigating in a confined channel, the large craft has the right-of-way over a boat propelled solely by oars or sails.

(2) If 2 sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(a) If each has the wind on a different side, the

1 vessel that has the wind on the port side shall give
2 way to the other vessel.

3 (b) If both have the wind on the same side, the
4 vessel that is to windward shall give way to the vessel
5 that is to leeward.

6 (c) If a vessel with the wind on the port side sees
7 a vessel to windward and cannot determine with
8 certainty whether the other vessel has the wind on the
9 port or starboard side, the vessel shall give way to
10 the other vessel.

11 (Source: P.A. 102-595, eff. 6-1-22.)

12 (625 ILCS 45/5-18) (from Ch. 95 1/2, par. 315-13)

13 Sec. 5-18. (a) ~~No Beginning on January 1, 2016, no person~~
14 born on or after January 1, 1998, unless exempted by
15 subsection (i), shall operate a motorboat with over 10 horse
16 power unless that person has a valid Boating Safety
17 Certificate issued by the Department of Natural Resources or
18 an entity or organization recognized and approved by the
19 Department.

20 (b) No person under 10 years of age may operate a
21 motorboat.

22 (c) ~~Persons Prior to January 1, 2016, persons at least 10~~
23 ~~years of age and less than 12 years of age may operate a~~
24 ~~motorboat with over 10 horse power only if they are~~
25 ~~accompanied on the motorboat and under the direct control of a~~

1 ~~parent or guardian or a person at least 18 years of age~~
2 ~~designated by a parent or guardian. Beginning on January 1,~~
3 ~~2016, persons~~ at least 10 years of age and less than 12 years
4 of age may operate a motorboat with over 10 horse power only if
5 the person is under the direct on-board supervision of a
6 parent or guardian who meets the requirements of subsection
7 (a) or a person at least 18 years of age who meets the
8 requirements of subsection (a) and is designated by a parent
9 or guardian.

10 (d) ~~Persons Prior to January 1, 2016, persons at least 12~~
11 ~~years of age and less than 18 years of age may operate a~~
12 ~~motorboat with over 10 horse power only if they are~~
13 ~~accompanied on the motorboat and under the direct control of a~~
14 ~~parent or guardian or a person at least 18 years of age~~
15 ~~designated by a parent or guardian, or the motorboat operator~~
16 ~~is in possession of a Boating Safety Certificate issued by the~~
17 ~~Department of Natural Resources, Division of Law Enforcement,~~
18 ~~authorizing the holder to operate motorboats. Beginning on~~
19 ~~January 1, 2016, persons~~ at least 12 years and less than 18
20 years of age may operate a motorboat with over 10 horse power
21 only if the person meets the requirements of subsection (a) or
22 is under the direct on-board supervision of a parent or
23 guardian who meets the requirements of subsection (a) or a
24 person at least 18 years of age who meets the requirements of
25 subsection (a) and is designated by a parent or guardian.

26 (e) ~~The Beginning January 1, 2016, the owner of a~~

1 motorboat or a person given supervisory authority over a
2 motorboat shall not permit a motorboat with over 10 horse
3 power to be operated by a person who does not meet the Boating
4 Safety Certificate requirements of this Section.

5 (f) Licensed boat liveries shall offer abbreviated
6 operating and safety instruction covering core boat safety
7 rules to all renters, unless the renter can demonstrate
8 compliance with the Illinois Boating Safety Certificate
9 requirements of this Section, or is exempt under subsection
10 (i) of this Section. A person who completes abbreviated
11 operating and safety instruction may operate a motorboat
12 rented from the livery providing the abbreviated operating and
13 safety instruction without having a Boating Safety Certificate
14 for up to one year from the date of instruction. The Department
15 shall adopt rules to implement this subsection.

16 (g) Violations.

17 (1) A person who is operating a motorboat with over 10
18 horse power and is required to have a valid Boating Safety
19 Certificate under the provisions of this Section shall
20 present the certificate to a law enforcement officer upon
21 request. Failure of the person to present the certificate
22 upon request is a petty offense.

23 (2) A person who provides false or fictitious
24 information in an application for a Boating Safety
25 Certificate; or who alters, forges, counterfeits, or
26 falsifies a Boating Safety Certificate; or who possesses a

1 Boating Safety Certificate that has been altered, forged,
2 counterfeited, or falsified is guilty of a Class A
3 misdemeanor.

4 (3) A person who loans or permits his or her Boating
5 Safety Certificate to be used by another person or who
6 operates a motorboat with over 10 horse power using a
7 Boating Safety Certificate that has not been issued to
8 that person is guilty of a Class A misdemeanor.

9 (4) A violation of this Section done with the
10 knowledge of a parent or guardian shall be deemed a
11 violation by the parent or guardian and punishable under
12 Section 11A-1.

13 (h) The Department of Natural Resources shall establish a
14 program of instruction on boating safety, laws, regulations
15 and administrative laws, and any other subject matter which
16 might be related to the subject of general boat safety. The
17 program shall be conducted by instructors certified by the
18 Department of Natural Resources. The course of instruction for
19 persons certified to teach boating safety shall be not less
20 than 8 hours in length, and the Department shall have the
21 authority to revoke the certification of any instructor who
22 has demonstrated his inability to conduct courses on the
23 subject matter. The Department of Natural Resources shall
24 develop and provide a method for students to complete the
25 program online. Students satisfactorily completing a program
26 of not less than 8 hours in length shall receive a certificate

1 of safety from the Department of Natural Resources. The
2 Department may cooperate with schools, online vendors, private
3 clubs and other organizations in offering boating safety
4 courses throughout the State of Illinois.

5 The Department shall issue certificates of boating safety
6 to persons 10 years of age or older successfully completing
7 the prescribed course of instruction and passing such tests as
8 may be prescribed by the Department. The Department may charge
9 each person who enrolls in a course of instruction a fee not to
10 exceed \$5. If a fee is authorized by the Department, the
11 Department shall authorize instructors conducting such courses
12 meeting standards established by it to charge for the rental
13 of facilities or for the cost of materials utilized in the
14 course. Fees retained by the Department shall be utilized to
15 defray a part of its expenses to operate the safety and
16 accident reporting programs of the Department.

17 (i) A Boating Safety Certificate is not required by:

18 (1) a person who possesses a valid United States Coast
19 Guard commercial vessel operator's license or a marine
20 certificate issued by the Canadian government;

21 (2) a person employed by the United States, this
22 State, another state, or a subdivision thereof while in
23 performance of his or her official duties;

24 (3) a person who is not a resident, is temporarily
25 using the waters of this State for a period not to exceed
26 90 days, and meets any applicable boating safety education

1 requirements of his or her state of residency or possesses
2 a Canadian Pleasure Craft Operator's Card;

3 (4) a person who is a resident of this State who has
4 met the applicable boating safety education requirements
5 of another state or possesses a Canadian Pleasure Craft
6 Operator's Card;

7 (5) a person who has assumed operation of the
8 motorboat due to the illness or physical impairment of the
9 operator, and is returning the motorboat or personal
10 watercraft to shore in order to provide assistance or care
11 for that operator;

12 (6) a person who is registered as a commercial
13 fisherman or a person who is under the onboard direct
14 supervision of the commercial fisherman while operating
15 the commercial fisherman's vessel;

16 (7) a person who is serving or has qualified as a
17 surface warfare officer or enlisted surface warfare
18 specialist in the United States Navy;

19 (8) a person who has assumed operation of the
20 motorboat for the purpose of completing a watercraft
21 safety course approved by the Department, the U.S. Coast
22 Guard, or the National Association of State Boating Law
23 Administrators;

24 (9) a person using only an electric motor to propel
25 the motorboat;

26 (10) a person operating a motorboat on private

1 property;

2 (11) a person over the age of 12 years who holds a
3 valid certificate issued by another state, a province of
4 the Dominion of Canada, the United States Coast Guard
5 Auxiliary or the United States Power Squadron need not
6 obtain a certificate from the Department if the course
7 content of the program in such other state, province or
8 organization substantially meets that established by the
9 Department under this Section. A certificate issued by the
10 Department or by another state, province of the Dominion
11 of Canada or approved organization shall not constitute an
12 operator's license, but shall certify only that the
13 student has successfully passed a course in boating safety
14 instruction; or

15 (12) a person who is temporarily using the waters of
16 this State for the purpose of participating in a boat
17 racing event sanctioned by the Department of Natural
18 Resources or authorized federal agency. The organizer or
19 holder of the sanctioned event shall possess liability
20 insurance for property damage and bodily injury or death
21 with a minimum benefit of \$1,000,000 that shall remain in
22 effect through the entirety of the event.

23 (j) The Department of Natural Resources shall adopt rules
24 necessary to implement this Section. The Department of Natural
25 Resources shall consult and coordinate with the boating
26 public, professional organizations for recreational boating

1 safety, and the boating retail, leasing, and dealer business
2 community in the adoption of these rules.

3 (Source: P.A. 98-698, eff. 1-1-15; 99-78, eff. 7-20-15;
4 99-526, eff. 7-8-16.)

5 (625 ILCS 45/5-24 new)

6 Sec. 5-24. Possession of medical cannabis on a watercraft.

7 (a) No operator, who is a medical cannabis cardholder, may
8 use medical cannabis within the passenger area of any
9 watercraft upon waters in this State.

10 (b) No operator, who is a medical cannabis cardholder, a
11 medical cannabis designated caregiver, medical cannabis
12 cultivation center agent, or dispensing organization agent may
13 possess medical cannabis within any area of any watercraft
14 upon waters in this State except in a secured, sealed or
15 resealable, odor-proof, and child-resistant medical cannabis
16 container that is inaccessible.

17 (c) No passenger, who is a medical cannabis card holder, a
18 medical cannabis designated caregiver, or medical cannabis
19 dispensing organization agent may possess medical cannabis
20 within any passenger area of any watercraft upon waters in
21 this State except in a secured, sealed or resealable,
22 odor-proof, and child-resistant medical cannabis container
23 that is inaccessible.

24 (d) Any person who violates subsections (a) through (c):

25 (1) commits a Class A misdemeanor;

1 (2) shall be subject to revocation of his or her
2 medical cannabis card for 2 years from the end of the
3 sentence imposed; and

4 (3) shall be subject to revocation of his or her
5 status as a medical cannabis caregiver, medical cannabis
6 cultivation center agent, or medical cannabis dispensing
7 organization agent for 2 years from the end of the
8 sentence imposed.

9 (625 ILCS 45/5-25 new)

10 Sec. 5-25. Possession of adult use cannabis on a
11 watercraft.

12 (a) No operator may use cannabis within the passenger area
13 of any watercraft upon waters in this State.

14 (b) No operator may possess cannabis within any area of
15 any watercraft upon waters in this State except in a secured,
16 sealed or resealable, odor-proof, child-resistant cannabis
17 container that is inaccessible.

18 (c) No passenger may possess cannabis within any passenger
19 area of any watercraft upon waters in this State except in a
20 secured, sealed or resealable, odor-proof, child-resistant
21 cannabis container that is inaccessible.

22 (d) Any person who knowingly violates subsection (a), (b),
23 or (c) commits a Class A misdemeanor.

24 (625 ILCS 45/7-1) (from Ch. 95 1/2, par. 317-1)

1 Sec. 7-1. It ~~On~~ and after March 1, 1960 it shall be
2 unlawful for any person to engage in the business of operating
3 a boat or boats carrying passengers for hire, or renting a boat
4 or boats for hire without first having obtained a license so to
5 do from the Department. Such license shall be renewable each
6 year on January ~~March~~ 1st, shall be good only for one year or
7 portion of a year up to and including December 31st ~~March 1st~~,
8 and it shall be unlawful for such person to so engage in such
9 business without having a valid license currently then in
10 force. The Department shall outline the application process
11 for passenger-for-hire licenses or rental boat licenses by
12 administrative rule. Violations of this Act by a business or
13 individual holding a rental license or passenger-for-hire
14 license shall result in the suspension or revocation of the
15 license issued based on the procedures outlined in
16 administrative rule.

17 (Source: P.A. 85-149.)

18 (625 ILCS 45/7-2) (from Ch. 95 1/2, par. 317-2)

19 Sec. 7-2. License fee. The fee for a license to operate a
20 boat for carrying passengers for hire shall be established by
21 administrative rule ~~\$50 for each boat~~. The fee for a license
22 for engaging in the business of renting boats for hire and the
23 ~~shall be \$30, plus an annual fee for each boat rented or~~
24 ~~offered for rent shall be set by administrative rule of \$1 for~~
25 ~~each boat less than 16 feet in length; \$2 for each boat 16 feet~~

1 ~~or over and less than 26 feet in length; and \$8 for each boat~~
2 ~~26 feet or over in length. No boat shall, after March 1, 1960,~~
3 be rented or offered for rent until such license has been
4 granted and the boat marked as hereinafter provided.

5 (Source: P.A. 85-149.)

1

INDEX

2

Statutes amended in order of appearance

3	625 ILCS 45/1-2	from Ch. 95 1/2, par. 311-2
4	625 ILCS 45/2-2	from Ch. 95 1/2, par. 312-2
5	625 ILCS 45/3-11	from Ch. 95 1/2, par. 313-11
6	625 ILCS 45/4-2	from Ch. 95 1/2, par. 314-2
7	625 ILCS 45/4-4	from Ch. 95 1/2, par. 314-4
8	625 ILCS 45/4-11	from Ch. 95 1/2, par. 314-11
9	625 ILCS 45/5-13	from Ch. 95 1/2, par. 315-8
10	625 ILCS 45/5-18	from Ch. 95 1/2, par. 315-13
11	625 ILCS 45/5-24 new	
12	625 ILCS 45/5-25 new	
13	625 ILCS 45/7-1	from Ch. 95 1/2, par. 317-1
14	625 ILCS 45/7-2	from Ch. 95 1/2, par. 317-2