

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 as follows:

7 (625 ILCS 45/1-2) (from Ch. 95 1/2, par. 311-2)

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

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

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

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

22 "Consideration" means an economic benefit, inducement,
23 right, or profit, including pecuniary payment accruing to an

1 individual, person, or entity, but not including a voluntary
2 sharing of the actual expense of the voyage, by monetary
3 contribution or donation of fuel, food, beverage, or other
4 supplies.

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

13 "Department" means the Department of Natural Resources.

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

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

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

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

23 "Livery" means a person, corporation, company, business,
24 or entity that advertises a livery watercraft for use by
25 another, in exchange for any type of consideration and does
26 not provide the renter or lessee with a captain, crew, or any

1 staff or personnel to operate, oversee, maintain, or manage
2 the watercraft.

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

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

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

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

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

22 "Passenger" means an individual carried on the vessel.

23 "Passenger" does not mean:

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

1 but in no case shall this exemption found in this
2 paragraph apply to more than one person that is physically
3 present on a vessel at any one time;

4 (2) the master; or

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

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

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

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

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

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

24 "Primarily operated" means the vessel is or will be
25 primarily operated within the jurisdiction of the State during
26 a calendar year.

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

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

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

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

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

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

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

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

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

25 "Wearable U.S. Coast Guard approved personal flotation
26 device", "wearable U.S. Coast Guard approved PFD", and

1 "wearable PFD" have the meaning provided for "wearable PFD" in
2 33 CFR 175.13.

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

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

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

9 (625 ILCS 45/2-2) (from Ch. 95 1/2, par. 312-2)

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

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

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

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

1 on navigable waters and federal impoundments where concurrent
2 jurisdiction exists between the federal and state governments.

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

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

13 (f) Whenever a peace officer reasonably believes that a
14 person under arrest for a violation of Section 5-1, 5-2, or
15 5-16 of this Act or similar provision of a local ordinance, is
16 likely, upon release, to commit a subsequent violation of
17 Section 5-1, 5-2, or 5-16 or a similar provision of a local
18 ordinance, the arresting officer shall have the watercraft
19 which the person was operating at the time of the arrest
20 impounded for a period of not more than 12 hours after the time
21 of the arrest. The watercraft may be released by the arresting
22 law enforcement agency without impoundment, or may be released
23 prior to the end of the impoundment period, however, if:

24 (1) the watercraft was not owned by the person under
25 arrest, and the lawful owner requesting release possesses
26 proof of ownership, and would not, as determined by the

1 arresting law enforcement agency: (i) indicate a lack of
2 ability to operate a watercraft in a safe manner, or (ii)
3 otherwise, by operating the watercraft, be in violation of
4 this Act; or

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

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

13 (625 ILCS 45/3-11) (from Ch. 95 1/2, par. 313-11)

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

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

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

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

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

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

24 (625 ILCS 45/4-2) (from Ch. 95 1/2, par. 314-2)

1 Sec. 4-2. Navigation lights.

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

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

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

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

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

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

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

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

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

26 2. A Class 3 or Class 4 motorboat shall carry the

1 following lights:

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

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

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

26 3. A Class 1 or Class 2 motorboat propelled by sail

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

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

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

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

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

26 D. Any watercraft may carry and exhibit the lights

1 required by the international regulations in lieu of the
2 lights required by subsection B of this Section.

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

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

10 G. (Blank).

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

12 (625 ILCS 45/4-4) (from Ch. 95 1/2, par. 314-4)

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

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

19 (625 ILCS 45/4-11) (from Ch. 95 1/2, par. 314-11)

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

21 (a) As used in this Section:

22 ~~"Engine cut off switch link" means the lanyard or wireless~~
23 ~~cut off device used to attach the motorboat operator to the~~
24 ~~engine cut off switch installed on the motorboat.~~

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

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

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

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

12 (2) attaches:

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

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

22 (b) A motorboat operator may not operate a motorboat less
23 than 26 feet in length that is equipped by the manufacturer
24 with an engine cutoff switch and such switch is not in use
25 while the motorboat is operating on plane or above
26 displacement speed. No person may operate a watercraft without

1 first verifying that the engine cut-off switch is operational
2 and fully functional and properly attaching the lanyard or
3 wireless attachment, as appropriate for the specific
4 motorboat, to the operator's body or to the clothing or
5 personal flotation device being worn by the operator.

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

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

10 (B) the vessel does not have an engine cut-off switch.

11 ~~No person may operate any motor boat, including personal~~
12 ~~watercraft or specialty prop-craft, equipped with an~~
13 ~~engine cut-off switch while the engine is running and the~~
14 ~~motorboat is underway without verifying that the engine~~
15 ~~cut-off switch is operational and fully functional and:~~

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

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

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

21 (625 ILCS 45/5-13) (from Ch. 95 1/2, par. 315-8)

22 Sec. 5-13. Traffic rules.

23 A. The area straight ahead of a vessel to the point that is
24 22.5 degrees beyond the middle of the vessel on the starboard
25 side of the watercraft shall be designated the danger zone. An

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

4 A-5. Head-on situation.

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

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

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

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

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

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

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

7 C. Overtaking.

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

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

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

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

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

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

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

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

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

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

15 D. Sailing vessels.

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

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

25 (a) If each has the wind on a different side, the
26 vessel that has the wind on the port side shall give

1 way to the other vessel.

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

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

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

11 (625 ILCS 45/5-18) (from Ch. 95 1/2, par. 315-13)

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

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

21 (c) ~~Persons Prior to January 1, 2016, persons at least 10~~
22 ~~years of age and less than 12 years of age may operate a~~
23 ~~motorboat with over 10 horse power only if they are~~
24 ~~accompanied on the motorboat and under the direct control of a~~
25 ~~parent or guardian or a person at least 18 years of age~~

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

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

25 (e) The ~~Beginning January 1, 2016, the~~ owner of a
26 motorboat or a person given supervisory authority over a

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

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

15 (g) Violations.

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

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

1 counterfeited, or falsified is guilty of a Class A
2 misdemeanor.

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

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

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

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

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

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

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

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

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

1 a Canadian Pleasure Craft Operator's Card;

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

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

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

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

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

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

25 (10) a person operating a motorboat on private
26 property;

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

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

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

community in the adoption of these rules.

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

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

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

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

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

Sec. 7-2. License fee. The fee for a license to operate a boat for carrying passengers for hire shall be established by

1 administrative rule ~~\$50 for each boat~~. The fee for a license
2 for engaging in the business of renting boats for hire and the
3 ~~shall be \$30, plus an~~ annual fee for each boat rented or
4 offered for rent shall be set by administrative rule ~~of \$1 for~~
5 ~~each boat less than 16 feet in length; \$2 for each boat 16 feet~~
6 ~~or over and less than 26 feet in length; and \$8 for each boat~~
7 ~~26 feet or over in length. No boat shall, after March 1, 1960,~~
8 be rented or offered for rent until such license has been
9 granted and the boat marked as hereinafter provided.

10 (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