

CHAPTER 86B

WATER SAFETY, WATERCRAFT, AND WATERCRAFT
TITLING

86B.005 Definitions.
86B.211 Water safety rules.
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86B.005 DEFINITIONS.

[For text of subs 1 to 14, see M.S.1990]

Subd. 14a. **Personal watercraft.** "Personal watercraft" means a motorboat that:

- (1) is powered by an inboard motor powering a water jet pump or by an outboard or propeller-driven motor; and
- (2) is designed to be operated by a person or persons sitting, standing, or kneeling on the craft, rather than in the conventional manner of sitting or standing inside a motorboat.

[For text of subs 15 and 16, see M.S.1990]

Subd. 16a. **Slow-no wake.** "Slow-no wake" means operation of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five miles per hour.

[For text of subs 17 to 19, see M.S.1990]

History: 1991 c 225 s 1,2

86B.211 WATER SAFETY RULES.

The commissioner shall adopt rules that relate to:

- (1) the application for, form, and numbering of watercraft licenses;
- (2) the size, form, reflectorized material, and display of watercraft license numbers, which must comply with the requirements of the federal watercraft numbering system;
- (3) placement and regulation of docks, piers, buoys, mooring or marking devices, and other structures in the waters of this state;
- (4) rules of the road for watercraft navigation;
- (5) standards for equipment used in the towing of persons on water skis, aquaplanes, surfboards, saucers, and other devices;
- (6) standards for lights, signals, fire extinguishers, bilge ventilation, and lifesaving equipment;
- (7) standards of safe load and power capacity;
- (8) accounting, procedural, and reporting requirements for county sheriff;
- (9) designation of swimming or bathing areas;
- (10) standards of safety for watercraft offered for rent, lease, or hire;
- (11) the use of surface waters of this state by watercraft as provided and in accordance with section 86B.205, subdivision 9, paragraphs (c) and (d), including:
 - (i) standards and criteria for resolving conflicts in the use of water surfaces by watercraft;
 - (ii) procedures for dealing with problems involving more than one local governmental unit;
 - (iii) procedures for local enforcement; and
 - (iv) procedures for enforcing the restrictions in section 86B.205, subdivision 9, paragraph (c); and

(12) other rules determined by the commissioner to be necessary to implement the provisions of this chapter.

History: 1991 c 259 s 10

NOTE: This section, as amended by Laws 1991, chapter 259, section 10, is effective July 1, 1992. See Laws 1991, chapter 259, section 25.

86B.313 PERSONAL WATERCRAFT REGULATIONS.

Subdivision 1. General requirements. In addition to requirements of other laws relating to watercraft, it is unlawful to operate or to permit the operation of a personal watercraft:

- (1) without each person on board the personal watercraft wearing a United States Coast Guard approved Type I, II, III, or V personal flotation device;
- (2) between sunset and 8:00 a.m.;
- (3) within 100 feet of a shoreline, dock, swimmer, or swimming diving raft or a moored, anchored, or nonmotorized watercraft at greater than slow-no wake speed;
- (4) while towing a person on water skis, a kneeboard, an inflatable craft, or any other device unless an observer is on board;
- (5) without the lanyard-type engine cutoff switch being attached to the person, clothing, or personal flotation device of the operator, if the personal watercraft is equipped by the manufacturer with such a device;
- (6) if any part of the spring-loaded throttle mechanism has been removed, altered, or tampered with so as to interfere with the return-to-idle system;
- (7) to chase or harass wildlife;
- (8) through emergent or floating vegetation at other than a slow-no wake speed;
- (9) in a manner that unreasonably or unnecessarily endangers life, limb, or property, including weaving through congested watercraft traffic, jumping the wake of another watercraft within 100 feet of the other watercraft; or
- (10) in any other manner that is not reasonable and prudent.

Subd. 2. Age of operator. Except in the case of an emergency, a person under the age of 13 years may not operate or be permitted to operate a personal watercraft, regardless of horsepower, unless there is a person 18 years of age or older on board the craft. It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Subd. 3. Operator's permit. Except in the case of an emergency, a person 13 years of age or over but less than 18 years of age may not operate a personal watercraft, regardless of horsepower, without possessing a valid watercraft operator's permit as required by section 86B.305, unless there is a person 18 years of age or older on board the craft. In addition to the permit requirement, a person 13 years of age operating a personal watercraft must maintain unaided observation by a person 18 years of age or older. It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Subd. 4. Dealers and rental operations. (a) A dealer of personal watercraft shall distribute a summary of the laws and rules governing the operation of personal watercraft and, upon request, shall provide instruction to a purchaser regarding:

- (1) the laws and rules governing personal watercraft; and
- (2) the safe operation of personal watercraft.

(b) A person who offers personal watercraft for rent:

(1) shall provide a summary of the laws and rules governing the operation of personal watercraft and provide instruction regarding the laws and rules and the safe operation of personal watercraft to each person renting a personal watercraft; and

(2) shall provide a United States Coast Guard approved Type I, II, III, or V personal flotation device and any other required safety equipment to all persons who rent a personal watercraft at no additional cost.

History: 1991 c 225 s 3

86B.401 WATERCRAFT LICENSES.

[For text of subds 1 to 11, see M.S.1990]

Subd. 12. **Proof of sales tax payment.** A person applying for initial licensing of a watercraft must provide a watercraft purchaser's certificate, showing a complete description of the watercraft, the seller's name and address, the full purchase price of the watercraft, and the trade-in allowance, if any. The certificate must include information showing either (1) that the sales and use tax under chapter 297A was paid or (2) the purchase was exempt from tax under chapter 297A. The commissioner of public safety, in consultation with the commissioner and the commissioner of revenue, shall prescribe the form of the certificate.

History: 1991 c 291 art 8 s 2

86B.415 LICENSE FEES.

Subdivision 1. **Watercraft 19 feet or less.** The fee for a watercraft license for watercraft 19 feet or less in length is \$12 except:

(1) for watercraft 19 feet in length or less that is offered for rent or lease, the fee is \$6;

(2) for a canoe, kayak, sailboat, sailboard, paddle boat, or rowing shell 19 feet in length or less, the fee is \$7;

(3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, the fee is as provided in subdivision 4; and

(4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided in subdivision 5.

[For text of subds 2 to 6, see M.S.1990]

Subd. 7. **Watercraft surcharge.** A surcharge of \$2 is placed on each watercraft licensed under subdivisions 1 to 5 for control, public awareness, law enforcement, monitoring, and research of nuisance aquatic exotic species such as zebra mussel, purple loosestrife, and Eurasian water milfoil in public waters and public wetlands.

[For text of subds 8 to 10, see M.S.1990]

History: 1991 c 199 art 1 s 12; 1991 c 254 art 2 s 19