

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1072 of the Regular Session

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: H3/29/17  
**A Bill**

SENATE BILL 634

By: Senator B. Sample  
By: Representative Holcomb

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE BOATER  
TRAINING AND BOATER SAFETY PROGRAM; AND FOR OTHER  
PURPOSES.

#### Subtitle

TO AMEND THE LAW CONCERNING THE BOATER  
TRAINING AND BOATER SAFETY PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-101-501(b), concerning the boater training and boater safety program, is amended to read as follows:

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

*/s/B. Sample*

**APPROVED: 04/06/2017**