

PROPOSED AMENDMENTS - AB 1458 [Duvall] as amended April 9, 2007

May 3, 2007

AMENDMENT ONE- SCOPE ISSUE

Insert the following new subdivision at the end of proposed Section 670:

[I] It is the intent of the Legislature, in enacting this section, to encourage the boating community to work together to develop education and training materials and courses that will enable the operators of vessels powered by sail and vessels that are hand-propelled to have the necessary knowledge on the laws and regulations that apply to the operation of vessels in order to reduce accidents, injuries and fatalities.

AMENDMENT TWO – FEE ISSUE

Delete Section One of the bill, and add the following provision to proposed Section 670:

(_) The department shall charge a fee not to exceed \$13 for a vessel operator certificate issued pursuant to this section, and a separate fee not to exceed \$7 to be paid by those individuals who take the vessel operator test provided on the department's website pursuant to this section. The fees received shall be deposited in the Harbors and Watercraft Revolving Fund and shall be dedicated to the department's costs associated with the implementation of this section. The department may increase the fees on January 1 of each year by an amount not greater than the cumulative percentage increase in the United States Department of Labor Consumer Price Index, rounded down to the nearest dollar, if the department determines that the increase is necessary to cover the department's costs associated with implementation of this section.

AMENDMENT THREE – FINE DEPOSIT ISSUE

Delete the following text in proposed subdivision (h) of proposed Section 670:

The money received by the state from the fines paid pursuant to this subdivision shall be deposited in the Harbors and Watercraft Revolving Fund and expended by the department, upon appropriation, to carry out this section.

AMENDMENT FOUR – NON-RESIDENT ISSUE

Add the following provision to proposed Section 670:

(_) This section does not apply to any person who is operating a boat that is not permanently moored in California and either: [i] is temporarily using the waters of this state for a period not to exceed sixty (60) days, and meets the applicable requirements of the state of residency; or [ii] is temporarily using the waters of this state for a period not to exceed ninety (90) days, and meets the applicable requirements of the country of residency.

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