

LEGISLATIVE COMMITTEE MINUTES

**SB473**

Bill as  
Introduced

SB 473 - AS INTRODUCED

2020 SESSION

20-2877

11/03

SENATE BILL **473**

AN ACT relative to certificate of boating safety.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Ward, Dist 8; Sen. Watters, Dist 4; Rep. Torosian, Rock. 14

COMMITTEE: Transportation

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ANALYSIS

This bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters.

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Explanation: Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty*

AN ACT relative to certificate of boating safety.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Safe Boater Education; Certificate Required. Amend RSA 270-D:10, I to read as follows:

2 I. No person [~~born on or after the dates provided in this section~~] shall operate a motorized  
3 vessel with any type of power motor in excess of 25 horsepower on the public waters of this state  
4 without first obtaining a certificate of boating safety education in accordance with this subdivision[~~;~~

5 ~~Date of Birth Certificate Required~~

6 ~~January 1, 1983 — January 1, 2002~~

7 ~~January 1, 1977 — January 1, 2003~~

8 ~~January 1, 1973 — January 1, 2004~~

9 ~~January 1, 1967 — January 1, 2005~~

10 ~~January 1, 1963 — January 1, 2006~~

11 ~~January 1, 1957 — January 1, 2007~~

12 ~~All~~ January 1, 2008].

13 2 Effective Date. This act shall take effect upon its passage.

# Committee Minutes

# SENATE CALENDAR NOTICE

## Transportation

Sen David Watters, Chair  
 Sen Regina Birdsell, Vice Chair  
 Sen Martha Hennessey, Member  
 Sen Melanie Levesque, Member  
 Sen Ruth Ward, Member

Date: January 7, 2020

### HEARINGS

	Tuesday	01/14/2020
	(Day)	(Date)
Transportation		Legislative Office Building 103 1:00 p.m.
(Name of Committee)		(Time)
1:00 p.m. <b>SB 413</b>	authorizing the Girl Scouts of the Green and White Mountains to issue decals for multi-use decal plates.	
1:15 p.m. <b>SB 445</b>	relative to residency of children of members of the armed forces.	
1:30 p.m. <b>SB 446</b>	relative to airport fees for transportation network companies.	
1:45 p.m. <b>SB 471</b>	relative to funds for the division of veterans services.	
2:00 p.m. <b>SB 472</b>	establishing a committee to study gold star family decals.	
2:15 p.m. <b>SB 473</b>	relative to certificate of boating safety.	

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**SB 413**

Sen. Watters  
 Rep. Levesque

Sen. Levesque  
 Rep. Mulligan

Sen. Hennessey  
 Rep. Walz

Sen. Chandley  
 Rep. Altschiller

**SB 445**

Sen. Carson  
 Sen. Giuda  
 Rep. Packard

Sen. Birdsell  
 Rep. Massimilla

Sen. Ward  
 Rep. Baldasaro

Sen. Watters  
 Rep. Cleaver

**SB 446**

Sen. Cavanaugh

**SB 471**

Sen. Birdsell  
 Rep. Edwards

Sen. Giuda

Sen. Carson

Sen. Gray

**SB 472**

Sen. Birdsell  
 Rep. Edwards

Sen. Carson  
 Rep. Baldasaro

Sen. French

Sen. Watters

**SB 473**

Sen. Birdsell

Sen. Ward

Sen. Watters

Rep. Torosian

Sonja Caldwell 271-2117

David H Watters  
Chairman

# Senate Transportation Committee

*Sonja Caldwell 271-2117*

SB 473, relative to certificate of boating safety.

**Hearing Date:** January 14, 2020

**Members of the Committee Present:** Senators Watters, Birdsell, Hennessey, Levesque and Ward

**Members of the Committee Absent :** None

**Bill Analysis:** This bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters.

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**Sponsors:**

Sen. Birdsell  
Rep. Torosian

Sen. Ward

Sen. Watters

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**Who supports the bill:** Sen. Watters, Sen. Birdsell, Sen. Ward, Capt. Tim Dunleavy (State Police - Marine Patrol), Rep. Peter Torosian

**Who opposes the bill:** No one

**Who is neutral on the bill:** No one

**Summary of testimony presented:**

**Sen. Birdsell** said this bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters.

**Captain Tim Dunleavy** of the State Police Marine Patrol supports the bill. He said it was a request of the Dept. of Safety. This is a housekeeping matter. He explained that in 2001, the legislature passed a law requiring a phase-in for motor boaters requiring anyone operating a boat over 25 horsepower to take safe boating course. It's a nationally approved course and reciprocal with other states. The NH course has certified just under 200,000 boaters. The phase-in was stretched out based on one's date of birth. The current statute is confusing. In reality, everyone needs to complete the course because the phase-in period has come to a conclusion.

**Sen. Hennessey** asked how one takes the test.

**Captain Dunleavy** said there are options. One could take a course in person. One can also take the course online, print out a test admittance ticket, and then go to a proctored exam at one of 29 locations around the state. You can register for a time and location, take the test, and get a lifetime card.



Another option for an impulse boat renter from out of state is a 14-day temporary certificate option that can be acquired at 19 different locations. One can go to a marina or to the Dept. and take a 20-minute process to read through the most important laws and then complete a 25 question exam. If the person gets 80% or better, they get a temporary certificate for 14 days. You can only exercise that option once in your lifetime. After that, one needs the full blown certification.

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Date Hearing Report completed: January 16, 2020

# Speakers

# SENATE TRANSPORTATION COMMITTEE

Date 1/14/20

Time 2:15 p.m.

Public Hearing on

SB473

(relative to certificate of boating safety.)

Please check box(es) that apply.

SPEAKING FAVOR OPPOSED

NAME (Please print)

REPRESENTING

Senator Watters

SD # 4

Sen Regina Birdsall

SD # 19

Sen Ruth Ward

SD # 8

Capt Tim Dunleavy

State Police - Marine Patrol

Rep. Peter Torsan

Rock # 14

# Voting Sheets

**Senate Transportation Committee**  
**EXECUTIVE SESSION RECORD**  
*2019-2020 Session*

Bill # SB 473

Hearing date: 1/14/20

Executive Session date: 1/14/20

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Watters, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Levesque	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Watters, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Levesque	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Watters, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Levesque	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Birdsell

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Wednesday, January 15, 2020

THE COMMITTEE ON Transportation

to which was referred **SB 473**

AN ACT relative to certificate of boating safety.

Having considered the same, the committee recommends that the Bill

ought to pass

BY A VOTE OF: 5-0

Senator Regina Birdsell  
For the Committee

This bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters. This bill was a request of the Dept. of Safety and was characterized as a housekeeping measure to clear up confusion now that the phase-in period for the safe boating course established in 2001 has ended. The phase-in period was based on date of birth. Now, that it has ended, everyone operating a boat over 25 horsepower is required to complete the safe boating course.

Sonja Caldwell 271-2117

FOR THE CONSENT CALENDAR

**TRANSPORTATION**

**SB 473**, relative to certificate of boating safety.

Ought to Pass, Vote 5-0.

Senator Regina Birdsell for the committee.

This bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters. This bill was a request of the Dept. of Safety and was characterized as a housekeeping measure to clear up confusion now that the phase-in period for the safe boating course established in 2001 has ended. The phase-in period was based on date of birth. Now, that it has ended, everyone operating a boat over 25 horsepower is required to complete the safe boating course.



## General Court of New Hampshire - Bill Status System

**Docket of SB473**

Docket Abbreviations

**Bill Title:** relative to certificate of boating safety.*Official Docket of SB473.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/8/2020	S	To Be <b>Introduced</b> 01/08/2020 and Referred to Transportation; <b>SJ 1</b>
1/7/2020	S	<b>Hearing:</b> 01/14/2020, Room 103, LOB, 02:15 pm; <b>SC 2</b>
1/15/2020	S	Committee Report: Ought to Pass, 01/30/2020; Vote 5-0; CC; <b>SC 4</b>
1/30/2020	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 01/30/2020; <b>SJ 2</b>
2/3/2020	H	Introduced 01/09/2020 and referred to Resources, Recreation and Development <b>HJ 2 P. 59</b>
6/30/2020	H	Vacated and Laid on Table MA VV 06/30/2020

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: SB473

Senate Committee: Transportation

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: (Legislative Aides)**

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: (Legislative Aides)**

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_  
 \_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

- Executive Session Sheet
- Committee Report

**Floor Action Documents: (Clerk's Office)**

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_  
 \_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) (Clerk's Office)**

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s)
- Governor's Veto Message

**All available versions of the bill: (Clerk's Office)**

\_\_\_ as amended by the senate      \_\_\_ as amended by the house  
 \_\_\_ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

SL  
Committee Aide

8/6/20  
Date

Senate Clerk's Office \_\_\_\_\_