

[OFFICIAL COPY REPRINT]

SENATE, No. 86

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1952

By Mr. MATHIS

Referred to Committee on Commerce and Navigation

AN ACT for the regulation of power vessels on the tidal waters within the jurisdiction of this State, fixing the penalties for violations, supplementing Title 12 of the Revised Statutes and, repealing "An act for the regulation of power vessels, providing for the registration of the same and the licensing of the operators thereof, fixing the amount of license and registration fees and penalties for violations, and supplementing Title 12 of the Revised Statutes," approved June fourth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 306).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. In addition to the powers conferred upon the Department of Conser-
2 vation and Economic Development by the provisions of Title 12 of the
3 Revised Statutes, the said Department of Conservation and Economic Devel-
4 opment is hereby authorized and empowered to regulate the operation, dock-
5 ing, mooring and anchoring of power vessels operating on the tidal waters
6 within the confines of the State of New Jersey.

1 2. The speed of power vessels shall at all times be regulated so as to
2 avoid danger or injury to all manner of craft whether floating, moored,
3 anchored or underway, or to piers, wharfs, bulkheads, draw spans or other
4 water-front construction, either directly or by the effect of the wash or wave
5 raised by such power vessel through its speed or otherwise.

1 3. No person shall operate a power vessel while under the influence of 5
2 any intoxicating liquor or any narcotic or habit-forming drug, or permit 6
3 any person who may be under the influence of intoxicating liquor or narcotic 7
4 or habit-forming drug to operate any power vessel owned by him or in his 1
5 custody and control. 2

1 4. No power vessel shall be operated in a reckless manner. Reckless 3
2 operation shall include operating such a vessel in a manner which unneces- 4
3 sarily interferes with the free and proper use of any waters, or which un- 5
4 necessarily endangers other craft therein, or the life or limb of any person 1
5 upon such other craft or in the water. 2

1 5. No power vessel shall be used to moor, ground or abandon any hulk 3
2 or derelict on State lands below mean high-water mark. 4

1 6. No person shall operate a dredge which shall have in tow excessive 5
2 lines of pontoons and other equipment and thereby endanger buoys, lights 1
3 and other aids to navigation. A length of pontoon or other tow exceeding
4 one hundred fifty feet measured from the stern of the towing vessel shall be
5 deemed for the purposes of this act presumptive evidence of a violation of
6 this section where damage is shown to have occurred within twenty-four hours
7 after the passage of such pontoon or tow.

1 7. The department may, whenever in its discretion it shall be deemed
2 necessary, appoint harbor masters who shall have controlling jurisdiction
3 under the law governing said Department of Conservation and Economic
4 Development to supervise the use of tidal waters within the jurisdiction of
5 this State. Such harbor masters shall be appointed for one year and shall
6 serve without salary. Harbor masters appointed under this act shall be sup-
7 plied with a shield or badge indicating their office and with an insignia to be
8 carried on their boats while being used on official duty under this act.

1 8. Any person who shall violate the provisions of this act shall be sub-
2 ject to a fine not exceeding one hundred dollars (\$100.00) and in default of
3 the payment thereof, shall be subject to imprisonment for a period not ex-
4 ceeding ten days. Any person convicted of a second offense of the same

5 violation shall be subject to a fine in double the amount prescribed for a
6 first offense, and shall, in default of the payment thereof, be subject to im-
7 prisonment for a period of not exceeding twenty days.

1 9. The Department of Conservation and Economic Development shall
2 have the duty of enforcing the provisions of this act. The procedure for
3 such enforcement shall be the same as in the case of other violations under
4 Title 12 of the Revised Statutes relating to power vessels and motors and
5 certain boats and craft operating in other than tidal waters.

1 10. "An act for the regulation of power vessels, providing for the
2 registration of the same and the licensing of the operators thereof, fixing the
3 amount of license and registration fees and penalties for violations, and sup-
4 plementing Title 12 of the Revised Statutes," approved June fourth, one
5 thousand nine hundred and thirty-eight, is repealed.

1 11. This act shall take effect immediately.

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STATEMENT

This bill is to regulate the operation of power vessels, their owners and operators, on the tidal waters of New Jersey and is a companion bill to accomplish similar purposes in other than tidal waters. The purpose of the two bills is to eliminate the confusion existing between chapter 7 of Title 12 of the Revised Statutes and P. L. 1938, c. 306.

JOURNAL

OF THE

One Hundred and Eighth Senate

OF THE

STATE OF NEW JERSEY

BEING THE

One Hundred and Seventy-sixth Session of the Legislature



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1952

The following committee amendment to Senate Bill No. 89 was read and, upon the motion of Mr. Mathis, the committee amendment was adopted.

Committee amendment proposed to Senate Bill No. 89:

Amend page 1, section 1, line 9, after "held" omit "and hand propelled".

Mr. Mathis, Chairman of the Committee on Commerce and Navigation, reported

Senate Bill No. 86,

Favorably, with amendment.

Signed—W. Steelman Mathis, John M. Summerill, Jr., Anthony J. Cafiero, Bernard W. Vogel.

The following committee amendment to Senate Bill No. 86 was read and, upon the motion of Mr. Mathis, the committee amendment was adopted.

Committee amendment proposed to Senate Bill No. 86:

Amend page 2, section 6, line 6, after the word "twenty-" insert the word "four".

Senate Bill No. 89, entitled "An act to amend 'An act for the protection of striped bass, repealing section 23:5-5, and amending section 23:5-8 of the Revised Statutes, inconsistent herewith,' approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 318), as said title was amended by chapter thirty-five of the laws of one thousand nine hundred and forty-eight,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Senate Bill No. 86, entitled "An act for the regulation of power vessels on the tidal waters within the jurisdiction of this State, fixing the penalties for violations, supplementing Title 12 of the Revised Statutes and repealing 'An act for the regulation of power vessels, providing for the registration of the same and the licensing of the operators thereof, fixing the amount of license and registration fees and penalties for violations, and supplementing Title 12 of the