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[Second Reprint]

SENATE, No. 1171

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED FEBRUARY 21, 2008

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Senator DIANE B. ALLEN

District 7 (Burlington and Camden)

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblyman DANIEL M. VAN PELT

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

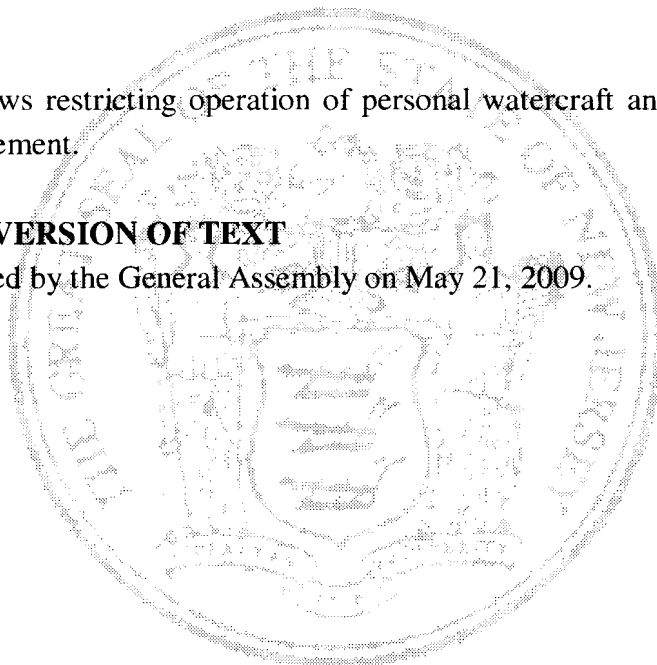
Senator Sarlo

SYNOPSIS

Revises laws restricting operation of personal watercraft and permits local police enforcement.

CURRENT VERSION OF TEXT

As amended by the General Assembly on May 21, 2009.



(Sponsorship Updated As Of: 6/26/2009)

1 AN ACT concerning the operation of personal watercraft and
2 amending P.L.1993, c.299.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1993, c.299 (C.12:7-63) is amended to read
8 as follows:

9 2. A person shall not operate a personal watercraft:

10 a. On the waters of this State between sunset and sunrise, or
11 during any time of restricted visibility as determined by an agent or
12 officer of the Marine Law Enforcement Bureau, Division of State
13 Police;

14 b. Within the confines of the Point Pleasant Canal in the County
15 of Ocean, or the Cape May Canal in the County of Cape May;

16 c. Above **[idle]** minimum headway speed within **[50]** ¹**[100]**
17 ²**[200']** 100² feet of:

18 (1) **[A bathing beach that has its boundaries marked by buoys]**
19 Buoys or signs that mark the boundaries of a swimming area;

20 (2) The shoreline; **[or]**

21 (3) Any person in the water; or

22 (4) Residential dwelling units; or

23 d. In such a manner as to make the vessel completely leave the
24 water or otherwise become airborne**[, while crossing]** within 100
25 feet of **[the wake of]** another vessel.

26 (cf: P.L.1993, c.299, s.2)

27

28 2. Section 8 of P.L.1993, c.299 (C.12:7-69) is amended to read
29 as follows:

30 8. A person who violates any provision of **[this act]** P.L.1993,
31 c.299 (C.12:7-62 et seq.) shall be subject to the fines and penalties
32 enumerated pursuant to section **[16 of P.L.1962, c.73 (C.12:7-**
33 **34.51)]** 8 of P.L.1952, c.157 (C.12:7-51). The Division of State
34 Police ¹**[of]** in ¹the Department of Law and Public Safety, and any
35 officer of a county or municipal police department are authorized to
36 enforce the provisions of P.L.1993, c.299 (C.12:7-62 et seq.) in a
37 proceeding before a court of competent jurisdiction concerning the
38 operation of personal watercraft, however, the Division of State
39 Police shall maintain ¹**[exclusive]** primary ¹jurisdiction over the
40 investigation of accidents and crimes ¹**[concerning]** involving the
41 operation of ¹personal watercraft.

42 (cf: P.L.1993, c.299, s.8)

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SCU committee amendments adopted May 5, 2008.**

²**Assembly floor amendments adopted May 21, 2009.**

S1171 [2R]CONNORS, ALLEN

3

- 1 3. This act shall take effect immediately.

SENATE, No. 1171

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED FEBRUARY 21, 2008

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Senator DIANE B. ALLEN

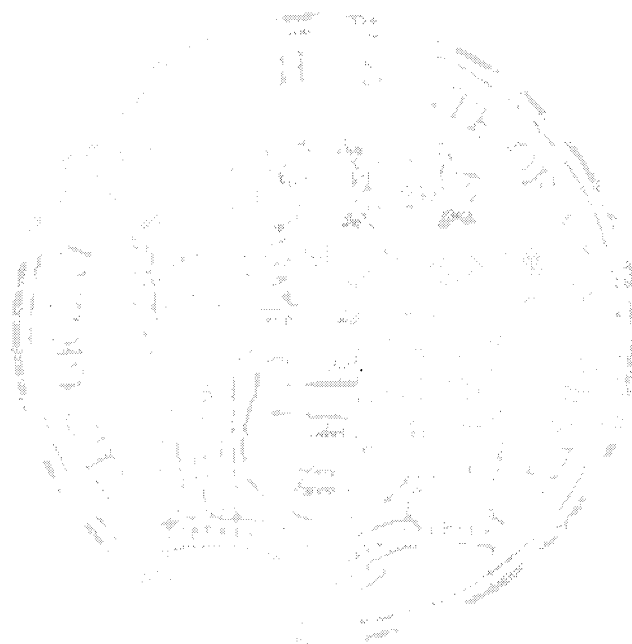
District 7 (Burlington and Camden)

SYNOPSIS

Revises laws restricting operation of personal watercraft and permits local police enforcement.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/6/2008)

S1171 CONNORS, ALLEN

2

1 AN ACT concerning the operation of personal watercraft and
2 amending P.L.1993, c.299.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 2 of P.L.1993, c.299 (C.12:7-63) is amended to read
8 as follows:

9 2. A person shall not operate a personal watercraft:

10 a. On the waters of this State between sunset and sunrise, or
11 during any time of restricted visibility as determined by an agent or
12 officer of the Marine Law Enforcement Bureau, Division of State
13 Police;

14 b. Within the confines of the Point Pleasant Canal in the County
15 of Ocean, or the Cape May Canal in the County of Cape May;

16 c. Above ~~idle~~ minimum headway speed within ~~50~~ 100 feet
17 of:

18 (1) ~~A bathing beach that has its boundaries marked by buoys~~
19 Buoys or signs that mark the boundaries of a swimming area ;

20 (2) The shoreline; ~~or~~

21 (3) Any person in the water; or

22 ~~(4) Residential dwelling units; or~~

23 d. In such a manner as to make the vessel completely leave the
24 water or otherwise become airborne~~, while crossing~~ within 100
25 feet of ~~the wake of~~ another vessel.

26 (cf: P.L.1993, c.299, s.2.)

27
28 2. Section 8 of P.L.1993, c.299 (C.12:7-69) is amended to read
29 as follows:

30 8. A person who violates any provision of ~~this act~~ P.L.1993,
31 c.299 (C.12:7-62 et seq.) shall be subject to the fines and penalties
32 enumerated pursuant to section ~~16 of P.L.1962, c.73 (C.12:7-~~
33 ~~34.51)~~ 8 of P.L.1952, c.157 (C.12:7-51). The Division of State
34 Police of the Department of Law and Public Safety, and any officer
35 of a county or municipal police department are authorized to
36 enforce the provisions of P.L.1993, c.299 (C.12:7-62 et seq.) in a
37 proceeding before a court of competent jurisdiction concerning the
38 operation of personal watercraft, however, the Division of State
39 Police shall maintain exclusive jurisdiction over the investigation of
40 accidents and crimes concerning personal watercraft.

41 (cf: P.L.1993, c.299, s.8)

42
43 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 *Sponsors* STATEMENT
2

3 This bill would prohibit the operation of personal watercraft,
4 commonly referred to as jet-skis, above minimum headway within
5 100 feet of:

- 6 • residential dwelling units,
- 7 • buoys or signs that mark the boundaries of a swimming
8 area,
- 9 • the shoreline, or
- 10 • persons in the water.

11 Current law prohibits the operation of personal watercraft above
12 idle speed within 50 feet of bathing beaches, the shoreline, or
13 persons in the water.

14 The bill would authorize State, county and municipal police to
15 enforce the laws governing the operation of personal watercraft
16 while reserving to the State Police exclusive jurisdiction over the
17 investigation of accidents and crimes concerning personal
18 watercraft.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1171

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 2008

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Senate Bill No. 1171.

As amended by the committee, this bill would prohibit the operation of personal watercraft, commonly referred to as jet-skis, above minimum headway within 200 feet of:

- residential dwelling units,
- buoys or signs that mark the boundaries of a swimming area,
- the shoreline, or
- persons in the water.

Current law prohibits the operation of personal watercraft above idle speed within 50 feet of bathing beaches, the shoreline, or persons in the water.

The bill would authorize State, county and municipal police to enforce the laws governing the operation of personal watercraft while reserving to the State Police primary jurisdiction over the investigation of accidents and crimes involving the operation of personal watercraft.

The committee amended the bill to increase the current and proposed restrictions on the operation of jet-skis from 50 feet to 200 feet rather than to 100 feet, as proposed in the bill as introduced. The amendments also clarify that the State police would have primary jurisdiction, rather than exclusive jurisdiction, over the investigation of accidents and crimes involving the operation of personal watercraft.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1171

STATE OF NEW JERSEY

DATED: JANUARY 15, 2009

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 1171 (1R).

Senate Bill No. 1171 (1R) prohibits the operation of personal watercraft, commonly referred to as jet-skis, above minimum headway speed within 200 feet of:

- residential dwelling units,
- buoys or signs that mark the boundaries of a swimming area,
- the shoreline, or
- persons in the water.

Current law prohibits the operation of personal watercraft above idle speed within 50 feet of bathing beaches, the shoreline, or persons in the water.

The bill would authorize State, county and municipal police to enforce the laws governing the operation of personal watercraft while reserving to the State Police primary jurisdiction over the investigation of accidents and crimes involving the operation of personal watercraft.

This bill is identical to Assembly Bill No. 2736, which was amended and reported by the committee on this same date.

STATEMENT TO

[First Reprint]

SENATE, No. 1171

with Assembly Floor Amendments
(Proposed by Assemblyman CONAWAY)

ADOPTED: MAY 21, 2009

Senate Bill No. 1171 (1R) prohibits the operation of personal watercraft, commonly referred to as jet-skis, above minimum headway speed within 200 feet of residential dwelling units; buoys or signs that mark the boundaries of a swimming area; the shoreline; or persons in the water.

These Assembly amendments reduce the current 200 foot restriction to 100 feet. As amended, this bill is identical to Assembly Bill No. 2736 (1R) also amended on this same date.

ASSEMBLY, No. 2736

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 19, 2008

Sponsored by:

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblyman DANIEL M. VAN PELT

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Revises laws restricting operation of personal watercraft and permits local police enforcement.

CURRENT VERSION OF TEXT

As introduced.



A2736 RUMPF, VAN PELT

2

1 AN ACT concerning the operation of personal watercraft and
2 amending P.L.1993, c.299.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1993, c.299 (C.12:7-63) is amended to read
8 as follows:

9 2. A person shall not operate a personal watercraft:

10 a. On the waters of this State between sunset and sunrise, or
11 during any time of restricted visibility as determined by an agent or
12 officer of the Marine Law Enforcement Bureau, Division of State
13 Police;

14 b. Within the confines of the Point Pleasant Canal in the County
15 of Ocean, or the Cape May Canal in the County of Cape May;

16 c. Above **[idle]** minimum headway speed within **[50]** 100 feet
17 of:

18 (1) **[A bathing beach that has its boundaries marked by buoys]**
19 Buoys or signs that mark the boundaries of a swimming area ;

20 (2) The shoreline; **[or]**

21 (3) Any person in the water; or

22 (4) Residential dwelling units; or

23 d. In such a manner as to make the vessel completely leave the
24 water or otherwise become airborne**[, while crossing]** within 100
25 feet of **[the wake of]** another vessel.

26 (cf: P.L.1993, c.299, s.2.)

27

28 2. Section 8 of P.L.1993, c.299 (C.12:7-69) is amended to read
29 as follows:

30 8. A person who violates any provision of **[this act]** P.L.1993,
31 c.299 (C.12:7-62 et seq.) shall be subject to the fines and penalties
32 enumerated pursuant to section **[16 of P.L.1962, c.73 (C.12:7-**
33 **34.51)]** 8 of P.L.1952, c.157 (C.12:7-51). The Division of State
34 Police of the Department of Law and Public Safety, and any officer
35 of a county or municipal police department are authorized to
36 enforce the provisions of P.L.1993, c.299 (C.12:7-62 et seq.) in a
37 proceeding before a court of competent jurisdiction concerning the
38 operation of personal watercraft, however, the Division of State
39 Police shall maintain exclusive jurisdiction over the investigation of
40 accidents and crimes concerning personal watercraft.

41 (cf: P.L.1993, c.299, s.8)

42

43 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 *Sponsor's* STATEMENT
2

3 This bill would prohibit the operation of personal watercraft,
4 commonly referred to as jet-skis, above minimum headway within
5 100 feet of:

- 6 • residential dwelling units,
- 7 • buoys or signs that mark the boundaries of a swimming
8 area,
- 9 • the shoreline, or
- 10 • persons in the water.

11 Current law prohibits the operation of personal watercraft above
12 idle speed within 50 feet of bathing beaches, the shoreline, or
13 persons in the water.

14 The bill would authorize State, county and municipal police to
15 enforce the laws governing the operation of personal watercraft
16 while reserving to the State Police exclusive jurisdiction over the
17 investigation of accidents and crimes concerning personal
18 watercraft.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2736

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 15, 2009

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2736.

Assembly Bill No. 2736, as amended, prohibits the operation of personal watercraft, commonly referred to as jet-skis, above minimum headway speed within 200 feet of:

- residential dwelling units,
- buoys or signs that mark the boundaries of a swimming area,
- the shoreline, or
- persons in the water.

Current law prohibits the operation of personal watercraft above idle speed within 50 feet of bathing beaches, the shoreline, or persons in the water.

The amended bill would authorize State, county and municipal police to enforce the laws governing the operation of personal watercraft while reserving to the State Police primary jurisdiction over the investigation of accidents and crimes involving the operation of personal watercraft.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1171 (1R), which also was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) increase the current and proposed restrictions on the operation of jet-skis from 50 feet to 200 feet rather than to 100 feet, as proposed in the bill as introduced;

(2) clarify that the State police would have primary jurisdiction, rather than exclusive jurisdiction, over the investigation of accidents and crimes involving the operation of personal watercraft; and

(3) make a technical correction.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2736

with Assembly Floor Amendments
(Proposed by Assemblyman CONAWAY)

ADOPTED: MAY 21, 2009

Assembly Bill No. 2736 (1R) prohibits the operation of personal watercraft, commonly referred to as jet-skis, above minimum headway speed within 200 feet of residential dwelling units; buoys or signs that mark the boundaries of a swimming area; the shoreline; or persons in the water.

These Assembly amendments reduce the current 200 foot restriction to 100 feet. As amended, this bill is identical to Assembly Bill No. 2736 (1R) also amended on this same date.