

Boating Safety Education Becomes a Requirement in Virginia

....Ev Tucker noted that until this law was passed it was perfectly legal for anyone to operate a motorboat without having the slightest knowledge of boating laws and regulations, right of way rules, etc. in the Commonwealth of Virginia.

The law applies to personal watercraft operators and the operators of any motorboat with a motor of 10 horsepower or greater. As of July 1, 2009, personal watercraft (PWC) operators 20 years of age or younger will have to meet the requirement. The phase-in continues for PWC operators 35 or younger in 2010, age 50 or younger in 2011 and all PWC operators, regardless of age, by July 1, 2012.

Motorboat operators face a similar phase-in beginning in 2011 with age 20 and younger, 2012 for age 30 and younger, 2013 for 40 and younger, 2014 for 45 and younger, 2015 for age 50 and younger, and all ages by July 1, 2016.

Motorboat and PWC operators can meet the boating safety education requirement in a number of ways. Boaters can take and pass an approved online or classroom course, or pass a proctored equivalency exam without taking the course. Persons holding a U.S. Coast Guard or Canadian maritime operators license are considered qualified. Registered commercial fishermen are exempt as are operators under their direct onboard supervision. People buying boats will get a temporary certificate good for 90 days after purchase. People renting or leasing boats from a business are exempt as are non-residents using Virginia waters for periods less than 90 days. Persons operating a motorboat under the direct onboard supervision of a person who meets the requirements of the law are exempt and persons who are operating a boat to return to port due to the illness or physical impairment of the original operator are exempt.

Boaters who have already taken an approved boating safety course and have a certificate or wallet card confirming course completion will not have to take a course again for this requirement. Approved courses are those which have been reviewed and approved by the National Association of State Boating Law Administrators (NASBLA) and accepted by the Department of Game & Inland Fisheries (DGIF). These include such courses as Boating Safety and Seamanship (USCGAUX), America's Boating Course, Boat Smart (USPS), and Boat Virginia (DGIF). All other boaters are encouraged to take an approved course as soon as convenient. NASBLA approved courses are available through the Coast Guard Auxiliary, the Power Squadrons and the Virginia Department of Game and Inland Fisheries. Boaters will need to have their card or certificate on their person ready to present to a law-enforcement officer if requested or be subject to a \$100 fine.

Tucker added that many details need to be worked out. DGIF will be getting input from the public, professional boating safety organizations and the boating industry in the development of the implementing regulations which will be published by July 1, 2008. In the meantime, boat safely by wearing a life jacket at all times, avoiding alcohol, keeping a good look-out for other boats, checking the weather before and during boating, and avoid overloading your boat, especially if it is small with little freeboard.