

PROPOSED TEXT

Title 14. Natural Resources Division 4. Department of Boating and Waterways Chapter 1. Department of Boating and Waterways Article 12. Vessel Operators' Education and Certification Cards

8200 Short Title

This article shall be known and may be cited as, the California Boater Card Regulations, under the Department of Parks and Recreation, Division of Boating and Waterways.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.1 Definitions

The following definitions shall be used in this article:

- (a) "Division" means the State of California, Department of Parks and Recreation, Division of Boating and Waterways.
- (b) "Operator" is a person who operates, controls, or who has charge of the navigation or use of a vessel.
- (c) "California Boater Card" means a California Boater Card issued to individual vessel operators pursuant to the requirements of Harbors and Navigation Code sections 678 et seq.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.2 Fees

- a) The initial fee for the California Boater Card is \$10.
- b) The fee for a replacement California Boater Card is \$5.

Note: Authority cited: Sections 678 and 678.3, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.3 Process for Individuals Who Possess a Boating Safety Course Certificate of Completion Obtained Between January 1, 2015 and December 31, 2017

Individuals who have passed a boating safety course, approved by the National Association of State Boating Law Administrators and the Division, between January 1, 2015 and December 31, 2017, may submit valid proof of their certificate of completion to the Division for issuance of a California Boater Card.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.4 Temporary California Boater Card Certificates

When a person has completed an approved boating safety course and passed the exam, the Division may issue a temporary California Boater Card certificate pending issuance of a permanent California Boater Card.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.5 Exemptions

- (a) Individuals who are exempt from the requirement to obtain a California Boater Card pursuant to Harbors and Navigation Code section 678.11(c) shall provide proof of their exemption when requested by any law enforcement officer.
- (b) As used in Harbors and Navigation Code section 678.11(c)(2), “direct supervision” means the vessel operator is supervised by a person who is on the same vessel, ready at all times to take control of the helm, and legally able to operate the vessel.
- (c) As used in Harbors and Navigation Code section 678.11(c)(4), “rental vessel” means a vessel owned and/or managed by a business with a valid business license to rent vessels. The Operator, while operating a vessel shall have in his or her possession a copy of the signed, written rental agreement. This agreement shall contain:
 - a. The name of the licensed rental business.
 - b. The signature of the person renting the vessel.
 - c. The vessel registration number.
 - d. The date and time period for which the vessel is rented.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.

8200.6 — Violation

If a vessel is stopped by a law enforcement officer for suspected violation of any provision of law and the Operator cannot provide evidence of a valid California Boater Card or proof of an exemption to possessing a California Boater Card, the law enforcement office may require the Operator to terminate the voyage by removing their vessel to the shore or to a safe moorage or anchorage or transferring control of the vessel to a person legally authorized to operate the vessel.

Note: Authority cited: Section 678, Harbors and Navigation Code; Reference: Sections 678-678.15, Harbors and Navigation Code.