

§13071-A. Operating personal watercraft**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

1. Operating personal watercraft while underage. A person under 16 years of age may not operate a personal watercraft.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

2. Additional safety requirements while operating personal watercraft. The following provisions apply to operating or being a passenger on a personal watercraft.

A. A person may not:

(1) Operate or be a passenger on a personal watercraft unless the person is wearing Coast Guard approved Type I, Type II or Type III personal flotation devices; or

(2) Operate a personal watercraft during the hours between sunset and sunrise. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

3. Operating rented or leased personal watercraft without identification decal. A person may not operate a rented or leased personal watercraft on Brandy Pond in the Town of Naples or on Long Lake in the Town of Naples, the Town of Bridgton and the Town of Harrison that does not have a clearly visible decal affixed to the personal watercraft that identifies the rental agent.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

4. Operating personal watercraft in prohibited area. The following provisions apply to operating a watercraft in prohibited areas.

A. A person may not operate a personal watercraft on:

(1) Mud Pond, Oversett Pond, South Pond, Round Pond, Twitchell Pond, Hicks Pond, Indian Pond or Furlong Pond in the Town of Greenwood in Oxford County;

(2) North Pond or Bryant Pond, also known as Christopher Lake, in the Town of Greenwood and the Town of Woodstock in Oxford County;

- (3) Concord Pond, Little Concord Pond or Shagg Pond in the Town of Woodstock in Oxford County;
- (4) Hamilton Pond in Bar Harbor in Hancock County;
- (5) Bog Lake or Horseshoe Lake in the Town of Northfield in Washington County;
- (6) Megunticook Lake in the Town of Camden and the Town of Hope in Knox County and the Town of Lincolnville in Waldo County;
- (7) Hobbs Pond, Fish Pond or Alford Lake in the Town of Hope in Knox County;
- (8) Norton Pond or Coleman Pond in the Town of Lincolnville in Waldo County;
- (9) Pitcher Pond in the Town of Lincolnville and the Town of Northport in Waldo County;
- (10) Torsey Lake in the Town of Mount Vernon and the Town of Readfield in Kennebec County;
- (11) Trickey Pond in the Town of Naples in Cumberland County;
- (12) Brandy Pond in the Town of Naples in Cumberland County between sunset and 9:00 a.m.;
- (13) Fulton Lake in the Town of Northfield in Washington County;
- (14) Knight Pond in the Town of Northport in Waldo County;
- (15) Moose Pond or Saturday Pond in the Town of Otisfield in Oxford County;
- (16) Tripp Pond, Upper Range Pond or Middle Range Pond in the Town of Poland in Androscoggin County;
- (17) Keewaydin Lake, Virginia Lake, Trout Pond, Weymouth Pond or Whitney Pond in the Town of Stoneham in Oxford County;
- (18) Lermond Pond in the Town of Union and the Town of Hope in Knox County;
- (19) Pocasset Lake or Pickerel Pond in the Town of Wayne in Kennebec County;
- (20) Androscoggin Lake in the Town of Wayne in Kennebec County and the Town of Leeds in Androscoggin County;
- (21) Little Cobbosseecontee Lake in the Town of Winthrop in Kennebec County;
- (22) Somes Pond in the Town of Mount Desert;
- (23) Long Pond in the Town of Mount Desert and the Town of Southwest Harbor;
- (24) Little Long Pond in the Town of Mount Desert;
- (25) Meetinghouse Pond, Big Pond, Wat Tuh Lake, Center Pond and Silver Lake, also known as Silver Pond, in the Town of Phippsburg in Sagadahoc County;
- (26) South Branch Lake in the Plantation of Seboeis and the Township of T2 R8 NWP in Penobscot County;
- (27) Spring Lake in Spring Lake Township in Somerset County;
- (28) Kennebago Lake and Kennebago River in Davis Township and Stetsontown Township in Franklin County;
- (29) Nicatous Lake in the Townships of T40 MD, T41 MD and T3 ND in Hancock County;
- (30) Crystal Lake in the Town of Washington in Knox County;
- (31) Middle Branch Pond in the Town of Waterboro in York County;

(32) Highland Lake or Woods Pond in the Town of Bridgton in Cumberland County if the personal watercraft is rented and does not display a decal identifying the rental agency that owns the personal watercraft; or

(33) Lake St. George in the Town of Liberty. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 655, Pt. B, §384 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

5. (TEXT EFFECTIVE UNTIL 1/01/24) (TEXT REPEALED 1/01/24) Operating personal watercraft while 16 years of age or older and under 18 years of age; boater education. Until January 1, 2024, the following provisions apply to operating a personal watercraft by a person 16 years of age or older and under 18 years of age.

A. A person 16 years of age or older and under 18 years of age may not operate a personal watercraft unless:

(1) That person is accompanied by a person 18 years of age or older who physically occupies the personal watercraft; or

(2) While operating the personal watercraft, that person possesses on that person identification showing proof of age and proof of successful completion of a boater safety education course approved by a national association of state boating law administrators, including but not limited to courses offered by the U.S. Coast Guard Auxiliary or other organizations approved by the commissioner for providing boater safety education courses. The commissioner shall establish a list of approved organizations for providing boater safety education courses and make that list readily available to the public. [PL 2005, c. 536, §1 (NEW); PL 2005, c. 536, §3 (AFF).]

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2005, c. 536, §1 (NEW); PL 2005, c. 536, §3 (AFF).]

This subsection is repealed on January 1, 2024.

[PL 2021, c. 656, §6 (AMD).]

6. Operating personal watercraft while 16 years of age or older; boater safety and education course requirement. Beginning January 1, 2024, a person born on or after January 1, 1999 may not operate a personal watercraft on inland waters of the State unless that person is 16 years of age or older and has completed a boater safety and education course.

A. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2021, c. 656, §7 (NEW).]

[PL 2021, c. 656, §7 (NEW).]

SECTION HISTORY

PL 2003, c. 655, §B384 (NEW). PL 2003, c. 655, §B422 (AFF). PL 2005, c. 536, §1 (AMD). PL 2005, c. 536, §3 (AFF). PL 2021, c. 656, §§6, 7 (AMD).

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