

ARTICLE V. OPERATION OF MOTORBOATS

(625 ILCS 45/5-18) (from Ch. 95 1/2, par. 315-13)

Sec. 5-18.1 Motorboat Operator Age Requirements.

(a) Beginning on or after January 1, 2010, no person, unless exempted by section 5-18.2 shall operate a motorboat on the waters of this state unless that person has a valid Boating Safety Certificate issued by the Department of Natural Resources. Persons required to possess a Boating Safety Certificate under this act include operators who are:

**IF BORN AFTER:**

Persons born January 1, 1990 or AFTER  
January 1, 1988 but before January 1, 1990  
January 1, 1983 but before January 1, 1988  
January 1, 1978 but before January 1, 1983  
January 1, 1973 but before January 1, 1978  
January 1, 1968 but before January 1, 1973  
Persons born BEFORE January 1, 1968

**MUST BE CERTIFIED BY:**

\*Before Operating Motorboat  
January 1, 2010  
January 1, 2011  
January 1, 2012  
January 1, 2013  
January 1, 2014  
January 1, 2015

(b) No person under 10 years of age may operate a motorboat.

(c) Persons at least 10 years of age and less than 12 years of age may operate a motorboat on the waters of this state provided the person possesses a valid boating safety certificate and the person is under the direct on-board supervision only if they are accompanied on the motorboat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian who holds a valid boating safety certificate or is exempt under Section 5-18.2 of this act.

(d) Persons at least 12 years of age and less than 18 years of age may operate a motorboat on the waters of this state provided the person possesses a valid boating safety certificate or is exempt under Section 5-18.2 of this act. only if they are accompanied on the motorboat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian, or such motorboat operator is in possession of a Boating Safety Certificate issued by the Department of Natural Resources, Division of Law Enforcement, authorizing the holder to operate motorboats.

(e) The owner of any motorboat or any person given supervisory authority over a motorboat, shall not permit a motorboat to be operated by any person not possessing a valid boating safety certificate as required by this act.

Sec. 5-18.2 Exemption from requirement to obtain boating safety certificate.

A boating safety certificate is not required if a person:

(1) Possesses a valid United States Coast Guard commercial vessel operator's license;

(2) A person over the age of 12 years who holds a valid certificate issued by another state, a province of the Dominion of Canada, the United States Coast Guard Auxiliary or the United States Power Squadron need not obtain a certificate from the Department if the course content of the program in such other state, province or organization substantially meets that established by the Department under this Section.

(3) Law enforcement officers in performance of their official duties.

Sec. 5-18.3 Compliance; Penalties for Violation.

(a) A person who is operating a motorboat on any waters of this state and is required to have a valid Boating Safety Certificate under the provisions of Section 5.18.1 of this act shall present the certificate to a law enforcement officer upon request. Failure of the person to present the certificate upon request shall constitute a [petty offense].

(b) A person who provides false or fictitious information in any application for a Boating Safety Certificate; or who alters, forges, counterfeits or falsifies a boating safety certificate; or who possesses a boating safety certificate that has been altered, forged, counterfeited or falsified shall be guilty of a [class A Misdemeanor].

(c) A person who loans or permits their Boating Safety Certificate to be used by another person; or who operates a motorboat using a boating safety certificate that has not been issued to that person; or who permits anyone to operate a motorboat in violation of the provisions of this act shall be guilty of a [class A Misdemeanor].

(d) Violations of this Section done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian and punishable under Section 11A-1.

Sec. 5-18.4 Adoption of Regulations.

The Department of Natural Resources shall establish a program of instruction on boating safety, laws, regulations and administrative laws, and any other subject matter which might be related to the subject of general boat safety. The program shall be conducted by instructors certified by the Department of Natural Resources. The course of instruction for persons certified to teach boating safety shall be not less than 8 hours in length, and the Department shall have the authority to revoke the certification of any instructor who has demonstrated his inability to conduct courses on the subject matter. Students satisfactorily completing a program of not less than 8 hours in length shall receive a certificate of safety from the Department of Natural Resources. The Department may cooperate with schools, private clubs and other organizations in offering boating safety courses throughout the State of Illinois.

The Department shall issue certificates of boating safety to persons 10 years of age or older successfully completing the prescribed course of instruction and passing such tests as may be prescribed by the Department. The Department shall charge each person who enrolls in a course of instruction a fee not to exceed \$25.00. If a fee is authorized by the Department, the Department shall authorize instructors conducting such courses meeting standards established by it to charge for the rental of facilities or for the cost of materials utilized in the course. Fees retained by the Department shall be utilized to defray a part of its expenses to operate the safety and accident reporting programs of the Department.

~~—A person over the age of 12 years who holds a valid certificate issued by another state, a province of the Dominion of Canada, the United States Coast Guard Auxiliary or the United States Power Squadron need not obtain a certificate from the Department if the course content of the program in such other state, province or organization substantially meets that established by the Department under this Section.~~ A certificate issued by the Department or by another state, province of the Dominion of Canada or approved organization shall not constitute an operator's license, but shall certify only that the student has successfully passed a course in boating safety instruction.

The Department of Natural Resources shall implement and enforce the provisions of this Section.

Sec. 5-18.5. *Effective Date.* January 1, 2010