ASSEMBLY, No. 3732

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

"Ryan's Law"; requires propeller guards on instructional vessels.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning boat safety and designated as "Ryan's Law," and supplementing Title 12 of the Revised Statutes.

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

1. The Legislature finds and declares that:

a. Motorized boats have propellers that are dangerous to any person who comes into close proximity with them.

b. Vessels equipped with propellers are often used for instructional purposes and pose a high risk for injuries, as inexperienced individuals are learning how to safely operate boating equipment while navigating waterways.

c. Propeller guards should be used on boats used for instructional purposes to ensure the safety of students and to protect against accidental injury or death.

d. Requiring the installation and maintenance of propeller guards on instructional vessels registered or operated in New Jersey waterways will decrease the risk of tragedy and improve the safety of children, small boat sailors, and swimmers.

2. As used in this act:

"Instructional vessel" means a vessel utilized to teach minors about marine navigation and safety in a formal setting, such as an instructional course or program conducted by a marina, yacht club, or a boating organization or school.

"Minor" means a person who is under 18 years of age.

"Propeller" means a mechanical device designed to move a vessel, consisting of a revolving shaft with two or more angled blades attached to it.

"Propeller guard" means a cage or encasement that surrounds the propeller of a vessel.

"Vessel" means a boat or watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

3. The owner of a vessel that is equipped with a propeller shall install and maintain a propeller guard if the vessel is:

a. used as an instructional vessel; and

b. (1) registered in New Jersey; or

(2) operated in the waters of New Jersey.

4. A person in violation of section 3 of P.L. , c. (C.) (pending before the Legislature as this bill) shall be liable to a civil penalty of $250 to $500 for a first offense and $750 to $1,500 for each subsequent offense. Any civil penalty imposed pursuant to this section shall be collected in a civil action by a summary proceeding under the "Penalty Enforcement Law of 1999,"

P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court or a municipal court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section.

5. This act shall take effect on the first day of the 13th month next following the date of enactment.

STATEMENT

This bill, to be known and cited as "Ryan's Law," requires propeller guards to be installed on instructional vessels within one year after the bill's enactment. The bill defines an instructional vessel to mean "a vessel utilized to teach minors about marine navigation and safety in a formal setting, such as an instructional course or program conducted by a marina, yacht club, or a boating organization or school."

Specifically, the bill requires the owner of a vessel equipped with a propeller to install and maintain a propeller guard on the vessel if it is used as an instructional vessel and also is: (1) registered in New Jersey, or (2) operated in the waters of New Jersey. A person in violation of this requirement would be subject to a civil penalty of $250 to $500 for a first offense, and $750 to $1,500 for any subsequent offense.

Motorized boats have propellers that can be dangerous to a person who comes into close proximity with them. Children, small boat sailors, and swimmers are especially susceptible to propeller risks and injuries. Since vessels with propellers are often used for instructional purposes, inexperienced individuals are also susceptible to these injuries because they are still learning how to safely operate boating equipment while navigating waterways. The installation of propeller guards on boats used for instructional purposes enhances the safety of individuals and better protects them against accidental injury or fatal boating accidents.

In the waters off of Long Island in August 2017, a 12-year old student taking a sailing lesson was struck by a boat propeller and died from his injuries. In response to this tragic incident, legislation was introduced in Suffolk County, New York, to require propeller guards be installed on all instructional vessels operating in Suffolk County waterways.