

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:
An Act relative to jet skis, surf jets, wet bikes, and other personal watercraft in municipalities.

PETITION OF:

NAME:

James J. O'Day
Harriette L. Chandler

DISTRICT/ADDRESS:

14th Worcester District

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2356 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT RELATIVE TO JET SKIS, SURF JETS, WET BIKES, AND OTHER PERSONAL WATERCRAFT IN MUNICIPALITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 1 of chapter 90B of the General Laws, as appearing in the 1998 Official Edition, is
2 hereby amended by inserting after the definition of “Personal flotation devices” the following
3 definition:—“Personal watercraft”, a vessel, by whatever name, propelled by water jet or other machinery
4 as its principal source of motor propulsion which is designed to travel over water and to be operated by a
5 person sitting, standing or kneeling on the vessel rather than being operated in the conventional manner
6 by a person sitting or standing inside the vessel, including but not limited to jet skis, surf jets and wet
7 bikes.
- 8 SECTION 2. Paragraph (n) of the fourth paragraph of section 11 of said chapter 90B, as so appearing, is
9 hereby amended by inserting after the word “town”, in line 90, the following:—except as provided in
10 section 15A.
- 11 SECTION 3. Said chapter 90B is hereby further amended by inserting after section 15 the following
12 section:—Section 15A. (a) Notwithstanding the provisions of paragraph (n) of the fourth paragraph of
13 Section 11 of Chapter 90B and Section 45 of Chapter 131 or any other general or special law to the
14 contrary, any city or town may make and enforce rules and regulations relative to the use of jet skis, surf
15 jets, wet bikes, or other personal watercraft, as defined in Section 1 of said Chapter 90B, on any pond or
16 lake not to exceed 750 acres in which the whole or any portion of such pond or lake is located within its
17 boundaries. Such rules and regulations may include a total ban on the use of jet skis, surf jets, wet bikes,
18 or other personal watercraft, as defined in Section 1 of said Chapter 90B. Where a pond or lake lies within
19 the boundaries of more than one municipality, a single municipality may apply such rules and regulations
20 to that portion of the pond or lake that lies within its boundaries without the agreement of any other
21 municipality. Rules and regulations adopted pursuant to authority of this section do not require the
22 approval of the director of law enforcement of the department of fisheries, wildlife and environmental law
23 enforcement. Any rules or regulations adopted pursuant to the authority of this section shall not be valid
24 unless published in a newspaper of general distribution in said city or town not less than five days before

25 the effective date thereof. (b) Any city or town that adopts rules or regulations relative to the use of jet
26 skis, surf jets, wet bikes, or other personal watercraft, as defined in Section 1 of Chapter 90B, shall
27 construct signs bearing such rules and regulations as may be adopted, and such signs shall be
28 conspicuously placed facing the water on the shore near each boundary.

29 SECTION 4. Section 45 of Chapter 131 of the General Laws, as appearing in the 1998 Official Edition, is
30 hereby amended by inserting after the word “enforcement”, in line 26, the following:—except as provided
31 in Section 15A of Chapter 90B.