

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.80141 Operation of motorboat by person less than 12 years of age; operation of motorboat by person on or after July 1, 1996; certification required; electronic verification; consent to search; liability.

Sec. 80141. (1) In addition to the requirements of subsection (2), a person less than 12 years of age shall not operate a motorboat that is powered by a motor or motors totaling more than 6 horsepower on the waters of this state unless both of the following requirements are met:

(a) He or she is under the direct supervision of a person on board the motorboat who is 16 years of age or older and who, if born on or after July 1, 1996, has been issued a boating safety certificate.

(b) The motorboat is powered by a motor or motors totaling no more than 35 horsepower.

(2) Subject to subsection (4), a person born on or after July 1, 1996 shall not operate a motorboat that is powered by a motor or motors totaling more than 6 horsepower on the waters of this state unless the person has been issued a boating safety certificate.

(3) A person operating or supervising the operation of a motorboat as described in this section shall present the boating safety certificate issued to him or her or, at the person's option, an electronic copy, in a format approved by the department, of a boating safety certificate issued to him or her, upon the demand of a peace officer who identifies himself or herself as a peace officer.

(4) An individual who, under subsection (3), displays an electronic copy of his or her boating safety certificate using an electronic device is not presumed to have consented to a search of the electronic device. This state, an employee of this state, a peace officer, or an entity employing the peace officer is not liable for damage to or loss of an electronic device that occurs as a result of the peace officer's viewing an electronic copy of a boating safety certificate as provided in this section, regardless of whether the peace officer was in possession of the electronic device at the time the damage or loss occurred.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2012, Act 120, Eff. Nov. 1, 2012;—Am. 2018, Act 400, Eff. Mar. 19, 2019.

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