

**HOUSE . . . . . No. 2356**

By Mr. Petersen of Marblehead, petition of Douglas W. Petersen and others relative to jet skis, surf jets, wet bikes, and other watercrafts in municipalities. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

PETITION OF:

Douglas W. Petersen	William N. Brownsberger
Robert S. Creedon, Jr.	Matthew C. Patrick
Frank I. Smizik	Peter V. Kocot
Martha M. Walz	Stephen Kulik
Barbara A. L'Italien	Denis E. Guyer
J. James Marzilli, Jr.	Kay Khan
Willie Mae Allen	Cory Atkins
Denise Provost	Anthony J. Verga

In the Year Two Thousand and Seven.

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  
2 appearing in the 1998 Official Edition, is hereby amended by  
3 inserting after the definition of "Personal flotation devices" the  
4 following definition:—  
5 "Personal watercraft", a vessel, by whatever name, propelled by  
6 water jet or other machinery as its principal source of motor propul-  
7 sion which is designed to travel over water and to be operated by a  
8 person sitting, standing or kneeling on the vessel rather than being  
9 operated in the conventional manner by a person sitting or standing  
10 inside the vessel, including but not limited to jet skis, surf jets and  
11 wet bikes.

1 SECTION 2. Paragraph (n) of the fourth paragraph of section 11  
2 of said chapter 90B, as so appearing, is hereby amended by inserting

3 after the word “town”, in line 90, the following:— except as pro-  
4 vided in section 15A.

1 SECTION 3. Said chapter 90B is hereby further amended by  
2 inserting after section 15 the following section:—

3 Section 15A. (a) Notwithstanding the provisions of paragraph (n)  
4 of the fourth paragraph of Section 11 of Chapter 90B and Section 45  
5 of Chapter 131 or any other general or special law to the contrary,  
6 any city or town may make and enforce rules and regulations  
7 relative to the use of jet skis, surf jets, wet bikes, or other personal  
8 watercraft, as defined in Section 1 of said Chapter 90B, on any pond  
9 or lake not to exceed 750 acres in which the whole or any portion of  
10 such pond or lake is located within its boundaries. Such rules and  
11 regulations may include a total ban on the use of jet skis, surf jets,  
12 wet bikes, or other personal watercraft, as defined in Section 1 of  
13 said Chapter 90B. Where a pond or lake lies within the boundaries  
14 of more than one municipality, a single municipality may apply such  
15 rules and regulations to that portion of the pond or lake that lies  
16 within its boundaries without the agreement of any other munici-  
17 pality. Rules and regulations adopted pursuant to authority of this  
18 section do not require the approval of the director of law enforce-  
19 ment of the department of fisheries, wildlife and environmental law  
20 enforcement. Any rules or regulations adopted pursuant to the  
21 authority of this section shall not be valid unless published in a  
22 newspaper of general distribution in said city or town not less than  
23 five days before the effective date thereof.

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

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