



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
(803)734-3780 • RFA.SC.GOV/IMPACTS

This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	S. 0096	Amended by the Senate on February 14, 2023
Author:	Campsen	
Subject:	Boating Safety and Education Program	
Requestor:	House Judiciary	
RFA Analyst(s):	Miller and Jolliff	
Impact Date:	April 18, 2023	

Fiscal Impact Summary

This bill provides expanded requirements for the Department of Natural Resources (DNR) to administer and/or approve boating safety courses and issue boating safety certificates. DNR must provide a boating safety certificate to anyone who completes one of the courses or meets other qualifying criteria, such as possessing an equivalent certificate from another state or a license or merchant mariner credential from the United States Coast Guard, among others. Additionally, DNR must approve one or more boat rental safety education courses. The boat rental safety certificate is valid for thirty days. This bill also specifies that it is illegal for a person to operate a boat without a boating safety certificate, with certain exceptions, and establishes a fine for violations of this requirement.

The bill will have no expenditure impact on DNR as the agency anticipates any additional responsibilities can be managed within existing resources.

This bill may impact the number of court cases for violations of the new boating safety certificate requirements. We anticipate that any increase in caseloads will be managed with existing resources.

The bill may impact General Fund, Other Funds, and local revenues from fines due to the new provision establishing a fine of \$50 to \$300 for violating the new provisions requiring a boating safety certificate to operate a boat under certain circumstances. The bill specifies that no court costs, assessments, or surcharges may be assessed against a person who violates the provisions. As this is a new offense and the number of fines that will be assessed is unknown, the amount that may be generated is undetermined.

Explanation of Fiscal Impact

Amended by the Senate on February 14, 2023

State Expenditure

This bill requires DNR to administer a boating safety course and allows for approval of additional boating safety education courses. A listing of approved courses must be provided on the department's website. DNR must provide a boating safety certificate to anyone who completes one of the courses, provides proof that he has a boating safety certificate or

equivalency from another state, or has a license to operate a vessel or has received a merchant mariner credential by the United States Coast Guard. Additionally, DNR must approve one or more boat rental safety education courses to be taken by persons renting a vessel, personal watercraft, or specialty propcraft from a business engaged in the renting of those items. The boat rental safety certificate is valid for thirty days.

Currently, an individual under age sixteen must be accompanied by an adult in order to operate a personal watercraft, specialty propcraft, or vessel, and the adult is not required to have completed a boating safety program or any other similar education. Additionally, an individual under age sixteen may operate one of these vessels without an adult if the person completes a boating safety program or if the vessel is less than fifteen horsepower under current law.

This bill makes it is illegal for a person to operate a vessel powered by an engine of ten horsepower or greater, personal watercraft, or specialty propcraft without a boating safety certificate, with certain exceptions. Violations of this requirement are subject to a fine of \$50 to \$300. The bill provides exceptions to the new boating safety certificate requirements for an individual who:

- (1) was born on or before July 1, 2007;
- (2) is in possession of a license to operate a vessel issued by the United States Coast Guard in the person's name, regardless of the expiration date on the license;
- (3) is in possession of a merchant mariner credential issued by the United States Coast Guard in the person's name, regardless of the expiration date on the credential;
- (4) is a nonresident in possession of a boating safety certificate, or an equivalency, issued by another state in the nonresident's name;
- (5) is operating a vessel, personal watercraft, or specialty propcraft from a business engaged in the renting of vessels, personal watercrafts, or specialty propcrafts and is in possession of a valid boat rental safety certificate issued in the person's name; or
- (6) is accompanied by a person at least eighteen years old who:
 - (a) is in possession of a South Carolina boating safety certificate issued by the department in the person's name; or
 - (b) meets one of the criteria in items (1) through (4) of this subsection.

Department of Natural Resources. DNR anticipates that currently available online and in-person instructional resources for boating safety are adequate to meet the requirements of this bill. DNR also anticipates being able to manage any other responsibilities due to this bill within existing resources. Therefore, this bill will have no expenditure impact for DNR.

Judicial. This bill may impact the number of court cases for violations of the new boating safety certificate requirements. We anticipate that any increase in caseloads will be managed with existing resources.

State Revenue

The bill may impact General Fund, Other Funds, and local revenues from fines due to the new provision establishing a fine of \$50 to \$300 for violating the new provisions requiring a boating safety certificate to operate a boat. The bill specifies that no court costs, assessments, or

surcharges may be assessed against a person who violates the provisions. As this is a new offense and the number of fines that will be assessed is unknown, the amount that may be generated is undetermined.

Local Expenditure

This bill may impact the number of court cases for violations of the new boating safety certificate requirements. We anticipate that any increase in caseloads will be managed with existing resources.

Local Revenue

The bill may impact General Fund, Other Funds, and local revenues from fines due to the new provision establishing a fine of \$50 to \$300 for violating the new provisions requiring a boating safety certificate to operate a boat. The bill specifies that no court costs, assessments, or surcharges may be assessed against a person who violates the provisions. As this is a new offense and the number of fines that will be assessed is unknown, the amount that may be generated is undetermined.



Frank A. Rainwater, Executive Director