

No. 1978-287

## AN ACT

HB 1508

Amending the act of May 28, 1931 (P.L.202, No.121), entitled, as amended, "An act providing for the registration of motor boats and the regulation of vessels operated or navigated upon, over or through inland or tidal waters, whether artificial or natural, within the Commonwealth; conferring powers and imposing duties on certain police officers, the Pennsylvania Fish Commission and the Navigation Commission for the Delaware River and its navigable tributaries, including the enforcement of certain existing laws; granting powers and imposing duties upon the Department of Revenue; and prescribing penalties," further providing for penalties and amending the short title.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 15 and 15.2, act of May 28, 1931 (P.L.202, No.121), known as the "Motor Boat Law," amended or added August 14, 1963 (P.L.808, No.400), are amended to read:

Section 15. (a) Any person violating any provision of this act, or any rule or regulation prescribed by the commission under this act, shall, upon conviction thereof in a summary proceeding before a justice of the peace, alderman or magistrate, be sentenced to pay a fine of not less than five dollars and costs, nor more than one hundred dollars and costs, or, in default of payment thereof, thirty days in jail; and, in addition, the Department of Revenue may revoke the registration issued for the motor boat used by such person.

*(b) Any person charged with violating any provision of this act, or any rule or regulation prescribed by the commission under this act, other than an offense which is classified as a misdemeanor, may sign an acknowledgment of the offense committed either before or after the beginning of prosecution and pay to any waterways patrolman the penalty in full together with costs accrued to that date. Before any person shall sign an acknowledgment pursuant to this subsection, the waterways patrolman shall orally advise the person of his right to a hearing and summary proceeding pursuant to subsection (a). The printed receipt therefore, which shall in every instance bear the signature of the Executive Director, shall be full evidence of full satisfaction of the offense committed. The printed receipt shall have prominently printed thereon in large type a statement that the person charged has a right to a hearing and summary proceeding pursuant to subsection (a) and that if he elects to sign the acknowledgment, he is forfeiting such rights. There shall be a space immediately following such statement which the person charged shall initial to indicate he has read the statement. Any acknowledgment which is not so initialed by the person charged shall be void and any subsequent prosecution for the offense or offenses charged therein shall be barred.*

Section 15.2. This act shall be known and may be cited as the “[Motor] Boat Law.”

Section 2. This act shall take effect in 60 days.

APPROVED—The 26th day of November, A. D. 1978.

MILTON J. SHAPP