

§12910. Safety; order of launch; safety committee

1. Whitewater trip safety restrictions. The commissioner shall by rule establish safety restrictions for whitewater trips. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A person who violates safety restrictions established pursuant to this subsection commits a Class E crime.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §331 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

2. Order of launch. Launch order of commercial whitewater outfitters on a particular river or portion of river may be determined and enforced by the department to protect public health and safety. The department shall provide for the outfitters to choose, in the order of their first documented dates of continuous commercial operation on the particular river or portion of river, their preferred launch positions. To facilitate that determination, each outfitter shall submit a sworn affidavit to the department stating the date the outfitter first began continuous commercial operation.

A. A commercial whitewater outfitter shall comply with any order of launch established by the department under this subsection. [PL 2003, c. 655, Pt. B, §332 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §332 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §332 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

3. Whitewater Safety Committee.

[PL 2007, c. 651, §15 (RP).]

4. Safety reports.

[PL 2007, c. 651, §16 (RP).]

5. Penalties.

[PL 2007, c. 651, §17 (RP).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B331-334 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2007, c. 651, §§15-17 (AMD).

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