AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Boat Registration and Safety Act is amended by adding Section 5-24 as follows:

(625 ILCS 45/5-24 new)

Sec. 5-24. Mandatory liability insurance.

(a) It is unlawful for the owner of a motorboat of more than 50 horsepower, a motorboat over 21 feet long, or a personal watercraft to operate or allow the operation of the motorboat or personal watercraft unless it is covered by a liability insurance policy that has been issued by an insurance company licensed in this State. The insurance policy shall be issued in amounts no less than the minimum amounts set for bodily injury or death and for destruction of property under Section 7-203 of the Illinois Vehicle Code, and shall be issued in accordance with the requirements of Sections 143a and 143a-2 of the Illinois Insurance Code. No insurer other than an insurer authorized to do business in this State shall issue a policy pursuant to this Section. Nothing herein shall deprive an insurer of any policy defense available at common law.

(b) Proof of insurance as required by this Section shall be produced and displayed by the owner or operator of the motorboat or personal watercraft upon request to any law enforcement officer or to any person who has suffered or claims to have suffered either personal injury or property damage as a result of the operation of the motorboat or personal watercraft by the owner or operator.

(c) Except as provided in subsection (d), any operator of a motorboat or personal watercraft subject to registration and numbering under this Act who is convicted of violating subsection (a) is guilty of a petty offense and shall be required to pay a fine in excess of $500, but not more than $1,000. However, no person charged with violating this Section shall be convicted if such person produces in court satisfactory evidence that at the time of the arrest the motorboat or personal watercraft was covered by a liability insurance policy in accordance with subsection (a). The chief judge of each circuit may designate an officer of the court to review the documentation demonstrating that at the time of arrest the motorboat or personal watercraft was covered by a liability insurance policy in accordance with subsection (a).

(d) A person who (i) has not previously been convicted of or received a disposition of court supervision for violating subsection (a) and (ii) produces at his or her court appearance satisfactory evidence that the motorboat or personal watercraft is covered, as of the date of the court appearance, by a liability insurance policy in accordance with

Section 7-601 of the Illinois Vehicle Code shall, for a violation of this Section, pay a fine of $100 and receive a disposition of court supervision. The person must, on the date that the period of court supervision is scheduled to terminate, produce satisfactory evidence that the motorboat or personal watercraft was covered by the required liability insurance policy during the entire period of court supervision.

An officer of the court designated under subsection (c) may also review liability insurance documentation under this subsection to determine if the motorboat or personal watercraft is, as of the date of the court appearance, covered by a liability insurance policy in accordance with Section 7-601 of the Illinois Vehicle Code. The officer of the court shall also determine, on the date the period of court supervision is scheduled to terminate, whether the motorboat or personal watercraft was covered by the required policy during the entire period of court supervision.