

**RESOLUTION NO. 278 -2013, ADOPTING LOCAL LAW  
NO. 22 -2013, A LOCAL LAW TO EXPAND EXEMPTIONS TO  
BOATING SAFETY INSTRUCTION REQUIREMENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on March 5, 2013, a proposed local law entitled, "**A LOCAL LAW TO EXPAND EXEMPTIONS TO BOATING SAFETY INSTRUCTION REQUIREMENTS;**" now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 22 -2013, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO EXPAND EXEMPTIONS TO BOATING  
SAFETY INSTRUCTION REQUIREMENTS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk enacted Local Law No. 58-2012 to establish boating safety instruction requirements for residents of Suffolk County operating pleasure vessels on Suffolk County waters.

This Legislature also finds that Local Law No. 58-2012 exempted certain persons from the law's requirements, including members of the United States Coast Guard, the United States Coast Guard Auxiliary and the United States Navy.

This Legislature further finds that retired members of the United States Coast Guard, the Coast Guard Auxiliary and the United States Navy should not be required to undergo further boating instruction before operating a vessel on Suffolk County waters.

Therefore, the purpose of this local law is to exempt retired members of the United States Coast Guard, the United States Coast Guard Auxiliary and the United States Navy from the boating instruction requirements of Local Law No. 58-2012.

**Section 2. Amendments.**

Section 4(A) of Local Law No. 58-2012 is hereby amended to read as follows:

- A. The provisions of this law shall not apply to persons certified by the Commissioner of the New York State Parks, Recreation and Historic Preservation as boating safety instructors; instructors of the United States Power Squadrons; members and retired members of the United States Coast Guard, United States Coast Guard Auxiliary and the United States Navy; police officers acting pursuant to assigned duties; peace officers acting pursuant to assigned duties; lifeguards acting pursuant to assigned duties; fire and rescue personnel acting pursuant to assigned duties; persons licensed to operate

vessels by the United States Coast Guard, the Merchant Marine or the Canadian Coast Guard; and persons who hold boating safety certificates issued by other states or municipalities.

**Section 3. Applicability.**

This law shall apply to actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

\_\_\_ Underlining denotes addition of new language

DATED: April 23, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: May 15, 2013

After a public hearing duly held on May 8, 2013  
Filed with the Secretary of State on May 31, 2013