

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1017 Session of
2025

INTRODUCED BY ROBINSON, FONTANA, STEFANO, VOGEL, LAUGHLIN AND
MILLER, SEPTEMBER 19, 2025

REFERRED TO GAME AND FISHERIES, SEPTEMBER 19, 2025

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, providing for at-risk, derelict and abandoned
3 boats; and imposing penalties.

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

6 Section 1. Title 30 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 57

9 AT-RISK, DERELICT AND ABANDONED BOATS

10 Sec.

11 5701. Scope of chapter.

12 5702. Definitions.

13 5703. Abandoned boats.

14 5704. Investigations, notice and related actions.

15 5705. Forms.

16 5706. Nuisances.

17 5707. Rules and regulations.

18 § 5701. Scope of chapter.

This chapter relates to at-risk boats, derelict boats and abandoned boats.

§ 5702. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Abandoned boat." A boat that is presumed to be abandoned under section 5703 (relating to abandoned boats).

"At-risk boat." As follows:

(1) A boat that is at risk of becoming a derelict boat.

(2) The term may involve any of the following circumstances:

(i) The boat is taking on or has taken on water without an effective means to dewater.

(ii) Spaces on the boat that are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time.

(iii) The boat has broken loose or is in danger of breaking loose from its anchor.

(iv) The boat does not have an effective means of propulsion for safe navigation.

"Derelict boat." A boat that is on the waters of this Commonwealth or other public property and may involve any of the following circumstances:

(1) The boat is sunk or partially sunk.

(2) The boat is aground without the ability to extricate itself absent mechanical assistance.

(3) The boat remains on waters of this Commonwealth or other public property after a boating accident, fire or weather event.

1 (4) The boat is in a neglected or deteriorating
2 condition such that the boat's hull, steering or propulsion
3 systems are compromised due to missing, incomplete, damaged,
4 broken or inoperable components.

5 "Law enforcement agency." An agency that employs a law
6 enforcement officer.

7 "Law enforcement officer." As follows:

8 (1) An individual who, by virtue of the individual's
9 office or public employment, is vested by law with a duty to
10 maintain public order or make arrests for offenses, whether
11 that duty extends to all offenses or is limited to specific
12 offenses.

13 (2) The term includes an individual who is employed or
14 elected by the Commonwealth or a municipality and whose duty
15 it is to preserve the peace, make arrests or enforce the laws
16 of this Commonwealth.

17 "Municipality." A county, city, borough, incorporated town
18 or township of this Commonwealth.

19 § 5703. Abandoned boats.

20 (a) Presumption.--Subject to subsection (b), a boat is
21 presumed to be abandoned if the owner of the boat cannot be
22 contacted and the boat:

23 (1) is physically inoperable and is left unattended on
24 waters of this Commonwealth or other public property;

25 (2) has remained illegally on waters of this
26 Commonwealth or other public property;

27 (3) is left unattended on or along waters of this
28 Commonwealth or other public property and does not bear a
29 valid registration; or

30 (4) has remained on the private property of a salvor for

30 calendar days.

(b) Rebutting presumption.--The presumption under subsection
(a) is rebuttable by a preponderance of the evidence.

§ 5704. Investigations, notice and related actions.

(a) Authorization.--A municipality or law enforcement agency
may investigate at-risk boats, derelict boats and abandoned
boats within the jurisdiction of the municipality or law
enforcement agency, in collaboration with the commission.

(b) Notice to commission.--If an investigation under
subsection (a) uncovers an at-risk boat, derelict boat or
abandoned boat, the municipality or law enforcement agency
shall, within seven calendar days of the discovery of the at-
risk boat, derelict boat or abandoned boat, notify the
commission of the following:

(1) The name and contact information of the municipality
or law enforcement agency that made the discovery.

(2) The location of the at-risk boat, derelict boat or
abandoned boat.

(3) The condition of the at-risk boat, derelict boat or
abandoned boat.

(4) Identifying information regarding the at-risk boat,
derelict boat or abandoned boat, including registration,
license, capacity plate and name of the owner, if known.

(c) Notice to owner.--

(1) Following notification under subsection (b), the
municipality or law enforcement agency shall, in
collaboration with the commission, make reasonable efforts to
notify the owner by certified mail, return receipt requested,
in person or by verifiable electronic means, such as publicly
accessible digital media, of the at-risk boat, derelict boat

1 or abandoned boat.

2 (2) Notice under this subsection shall contain the
3 following:

4 (i) Identification of the at-risk boat, derelict
5 boat or abandoned boat that must be removed from its
6 current location, repaired, salvaged, securely stored or
7 junked.

8 (ii) The location and condition of the at-risk boat,
9 derelict boat or abandoned boat.

10 (iii) The name and contact information of the
11 municipality or law enforcement agency that is providing
12 the notice.

13 (iv) Contact information for the commission.

14 (v) A statement that if, within 14 calendar days
15 after receipt of the notice under this subsection, the
16 at-risk boat, derelict boat or abandoned boat is not
17 removed from its current location, repaired, salvaged,
18 securely stored or junked, or alternate arrangements are
19 not made with the municipality, law enforcement agency or
20 commission:

21 (A) The at-risk boat, derelict boat or abandoned
22 boat shall be removed and, as appropriate, stored or
23 junked at the expense of the owner of the at-risk
24 boat, derelict boat or abandoned boat.

25 (B) The owner of the at-risk boat, derelict boat
26 or abandoned boat shall be subject to restitution
27 costs and any other penalty prescribed by law.

28 (d) Public notice.--If notice under subsection (c) cannot be
29 accomplished, the municipality or law enforcement agency shall,
30 in collaboration with the commission, take steps to publish the

notice described in subsection (c) in a newspaper of general circulation or by verifiable electronic means, such as publicly accessible digital media, within the municipality or jurisdiction of the law enforcement agency that provided the notice under subsection (c), except that the statement under subsection (c) (2) (v) shall refer to a time frame that is 14 calendar days after publication of the notice under this subsection.

(e) Actions by owner.--

(1) Within 14 calendar days of receipt of the notice under subsection (c) or of publication of the notice under subsection (d), the owner of the at-risk boat, derelict boat or abandoned boat shall:

(i) remove, repair, salvage, securely store or junk the at-risk boat, derelict boat or abandoned boat, as appropriate; or

(ii) make alternate arrangements with the municipality, law enforcement agency or commission, which may include the relinquishment of the at-risk boat, derelict boat or abandoned boat to the custody of the municipality, law enforcement agency or commission.

(2) In the case of an at-risk boat, the owner of the at-risk boat that is removed and stored after the time period specified in the notice under subsection (c) or (d):

(i) May, subject to existing law, including a rule or regulation established by the commission, claim the at-risk boat upon paying the accrued costs of removal and storage of the at-risk boat and any applicable fine within 30 calendar days of the original notice under subsection (b).

1 (ii) Commits a misdemeanor of the third degree if
2 recovery and disposal costs exceed \$2,500 and the owner
3 was properly notified otherwise that the penalty would be
4 a summary offense of the first degree and shall, upon
5 conviction, be sentenced to pay a fine and restitution
6 costs of the recovering entity.

7 (3) In the case of a derelict boat or abandoned boat,
8 after the time period specified in the notice under
9 subsection (c) or (d):

10 (i) The owner of the derelict boat or abandoned boat
11 shall have no right to claim the derelict boat or
12 abandoned boat after 30 calendar days following the
13 original notice under subsection (b).

14 (ii) The owner of the derelict boat or abandoned
15 boat shall be responsible for the expenses to remove or
16 junk the derelict boat or abandoned boat.

17 (iii) The owner of the derelict boat or abandoned
18 boat commits a misdemeanor of the third degree if
19 recovery and disposal costs exceed \$2,500 and the owner
20 was properly notified otherwise that the penalty would be
21 a summary offense of the first degree and shall, upon
22 conviction, be sentenced to pay a fine and restitution
23 costs of the recovering entity.

24 (f) Recovery of costs.--A municipality, a law enforcement
25 agency or the commission may commence an action to recover the
26 costs incurred by the municipality, law enforcement agency or
27 commission regarding:

28 (1) the removal or storage of an at-risk boat; or

29 (2) the removal or junking of a derelict boat or
30 abandoned boat.

1 (g) Liability.--A person involved in the notification,
2 investigation, recovery or storage of a boat under this chapter
3 shall not be liable for any claim of property damage related to
4 the boat.

5 § 5705. Forms.

6 (a) Development.--The commission shall develop forms to be
7 used by municipalities and law enforcement agencies to provide
8 notice in accordance with section 5704(b) and (c) (relating to
9 investigations, notice and related actions).

10 (b) Posting.--The forms described under subsection (a) shall
11 be posted on the publicly accessible Internet website of the
12 commission.

13 (c) Submittal.--A municipality or law enforcement agency may
14 submit the notice described under section 5704(b) to the
15 commission by electronic means or as otherwise provided by the
16 commission.

17 § 5706. Nuisances.

18 This chapter is not intended to alter or supersede any law or
19 ordinance regarding the investigation, removal, abatement or
20 prevention of nuisances under the jurisdiction of the State or a
21 municipality or any available enforcement mechanism, remedy or
22 penalty relating to nuisances under State law or municipal
23 ordinance.

24 § 5707. Rules and regulations.

25 The commission may adopt or promulgate rules or regulations
26 relating to at-risk boats, derelict boats or abandoned boats,
27 including the transfer of ownership of or interest in at-risk
28 boats, derelict boats or abandoned boats.

29 Section 2. This act shall take effect in 180 days.