

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA FISH AND BOAT COMMISSION**

**AGENDA FOR  
THE BOATING ADVISORY BOARD MEETING**

**Tuesday, June 21, 2022  
9:30 a.m.  
Harrisburg, Pennsylvania**

**Members**

Chair Loren Lustig  
Scott Ballantyne  
Michael Murray  
Elizabeth Winand

**Members Ex Officio**

Timothy D. Schaeffer, Executive Director  
Laurel L. Anders, Secretary  
Ryan Dysinger for Cindy Adams Dunn, Secretary for the  
Department of Conservation and Natural Resources

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A. Amendment to 58 Pa. Code § 107.1 (Horsepower restrictions) and § 107.2 (Electric motors).

Commentary:

Current regulations limit boat propulsion to electric motors only on Pennsylvania Fish and Boat Commission (Commission) owned or controlled lakes, some State Park lakes, and water bodies specified in Chapter 111 (relating to special regulations counties). These regulations were originally intended to reduce noise, excessive wakes, shoreline erosion and property damage, and reduce the risk of petroleum-based water pollution on certain water bodies. Boats powered by small electric motors (such as trolling motors) and unpowered boats are popular on Pennsylvania water bodies with electric motor only restrictions.

Some exceptions exist for State Park lakes and certain other waters specified in Chapter 111 where internal combustion motors are permitted but with horsepower limitations. Boats propelled by small gas outboard motors and unpowered boats are popular on these waterways.

Recent technological advancements with battery-powered electric boat motors have produced a variety of higher-powered options up to 180 horsepower and 60 miles per hour. While these new units are currently expensive and have limited battery capacity, it is anticipated they will become more affordable and widely available in the future. Boating stakeholders, partner organizations, other state agencies, and staff have expressed concern about the potential increased availability and popularity of high-powered electric motors, which would be legal to be operated on waters under current regulations that allow electric motors only. Additionally, law enforcement staff have expressed concern about the complexity of enforcing horsepower limitations for electric motors to meet the original intent of current regulations.

To address the above issues, Commission staff recommend amending Chapter 107 (relating to boating restrictions) to limit the speed at which electric motors may be operated and clarify that horsepower restrictions apply to internal combustion motors only. These amendments set the conditions by which Chapter 111 regulations are qualified, as noted in § 111.71 (relating to general requirements).

Staff propose the following changes to § 107.1 and § 107.2:

§ 107.1. Horsepower restrictions.

On waters where horsepower limitations are prescribed, as set forth in Chapter 111 (relating to special regulations counties), **[boats with motors larger than the maximum horsepower shall be permitted but the motors may not be used] the use of internal combustion motors in excess of the prescribed horsepower limitation is prohibited.**

§ 107.2. Electric motors.

Except as otherwise specified in Chapter 111 (relating to special regulations counties):

(1) Electric motors are permitted on Commission owned or controlled lakes and on State Park lakes where boating is permitted.

**(2) Boats propelled by electric motors on Commission owned or controlled lakes, State Park lakes and water bodies specified in Chapter 111 shall not be operated at greater than slow, no-wake speed.**

[(2)] (3) On Commission and State Park owned or controlled lakes, internal combustion motors attached to or installed in boats need not be removed, but the operation of engines is specifically prohibited.

[(3)] (4) Officers authorized to enforce the code and this part and, in the case of State Park lakes, officers and officials of the Bureau of State Parks and operators of emergency vessels may operate boats powered by internal combustion motors in the performance of their official duties on waters otherwise restricted to electric motors only.

Briefer:

Laurel L. Anders, Director, Bureau of Boating

Action:

B. Amendment to 58 Pa. Code § 111.17 (Clearfield County).

Commentary:

Treasure Lake is a 379-acre lake within the grounds of a semi-private resort-style residential development of the same name. It is the largest of three lakes on the property and is designated for motorboats. It has a speed limit of 35 mph. Treasure Lake is popular for boat-towed watersports as well as fishing and kayaking. The lake has a marina with 200 boat rental slips and four boat launches.

In March 2022, the Treasure Lake Board of Directors voted to amend its policies to extend the maximum boat length on Treasure Lake from 25 feet to 26 feet, consistent with the U.S. Coast Guard's definition of a Class 1 vessel (16 feet to 25.9 feet). The Treasure Lake Board of Directors has requested the Pennsylvania Fish and Boat Commission adopt the same regulatory amendment in Title 58 Pa. Code so that Waterways Conservation Officers can continue to assist in enforcement of this boating regulation.

Staff propose the following change to § 111.17:

§ 111.17. Clearfield County.

(a) *Treasure Lake.*

\* \* \* \* \*

(3) Boats longer than [25] 26 feet in length are prohibited.

\* \* \* \* \*

Briefer:

Laurel L. Anders, Director, Bureau of Boating

Action: