

# House Study Bill 63

## Bill Text

PAG LIN

1 1 Section 1. Section [462A.2](#), Code 1999, is amended by adding  
1 2 the following new subsections:

1 3 NEW SUBSECTION. 12A. "Lanyard" means a cord, rope, or  
1 4 wire which connects an operator to a motorboat or motorized  
1 5 vessel and is designed to stop the motor when disconnected.

1 6 NEW SUBSECTION. 22A. "Personal watercraft" means a  
1 7 vessel, less than sixteen feet in length, which is propelled  
1 8 by a water jet pump or similar machinery as its primary source  
1 9 of motor propulsion and is designed to be operated by a person  
1 10 sitting, standing, or kneeling on the vessel rather than being  
1 11 operated by a person sitting, standing, or kneeling inside the  
1 12 vessel.

1 13 Sec. 2. Section [462A.6A](#), subsection 4, Code 1999, is  
1 14 amended to read as follows:

1 15 4. A sailboard.

~~However, the registration decal shall be~~

1 16

~~attached to the bottom surface of the bow.~~

1 17 Sec. 3. Section [462A.9](#), subsection 6, Code 1999, is  
1 18 amended to read as follows:

1 19 6. a.

~~Every~~

~~The owner or operator of each vessel shall~~  
1 20 provide that the vessel carry at least one life preserver,  
1 21 life belt, ring buoy, or other device,

~~of the sort~~

~~as~~

1 22 prescribed by the rules of the commission, for each passenger,  
1 23 so placed as to be readily accessible. This does not apply to  
1 24 a vessel which is a racing shell used in the sport of sculling  
1 25 or to a sailboard while used for windsurfing.

1 26 b. A person shall not operate a personal watercraft unless  
1 27 each person aboard is wearing an approved personal flotation  
1 28 device as prescribed by rule of the commission.

1 29 Sec. 4. Section [462A.9](#), Code 1999, is amended by adding  
1 30 the following new subsection:

1 31 NEW SUBSECTION. 6A. The owner of each personal watercraft  
1 32 registered in the state shall affix a proper operation decal  
1 33 on the vessel in a location that is clearly visible to a  
1 34 person sitting in the position of the operator. The  
1 35 department shall provide proper operation decals to county  
2 1 recorders. County recorders shall provide a proper operation  
2 2 decal to each owner of a personal watercraft when the  
2 3 watercraft is registered and assigned an identification  
2 4 number. If the proper operation decal is lost, mutilated, or  
2 5 becomes illegible, the owner shall obtain a new decal as soon  
2 6 as possible from a county recorder or the department.

2 7 Sec. 5. NEW SECTION. 462A.9A WATERCRAFT SAFETY COURSES  
2 8 CERTIFICATION REQUIRED.

2 9 The department shall establish a watercraft safety course

2 10 approved by the commission not later than January 15, 2000.  
2 11 The watercraft safety course shall be administered by the  
2 12 department. The department may use other organizations and  
2 13 volunteers for assistance in designing and implementing the  
2 14 watercraft safety course. The watercraft safety course shall  
2 15 include all watercraft including personal watercraft in its  
2 16 curriculum and shall be taught in at least twelve counties  
2 17 commencing no later than January 15, 2000. Not later than  
2 18 January 15, 2002, the watercraft safety course shall be taught  
2 19 in at least one-half of the counties in this state. Each  
2 20 person who successfully completes an approved watercraft  
2 21 safety course shall be issued a watercraft safety certificate.  
2 22 The initial watercraft safety certificate shall be issued  
2 23 without a fee. A duplicate watercraft safety certificate  
2 24 shall be issued upon request upon payment of a fee of five  
2 25 dollars.

2 26 Sec. 6. Section [462A.12](#), subsection 1, Code 1999, is  
2 27 amended to read as follows:

2 28 1.

~~No~~

- A person shall not operate any vessel, or manipulate  
2 29 any water skis, surfboard, or similar device in a careless,  
2 30 reckless, or negligent manner so as to endanger the life,  
2 31 limb, or property of any person. A person shall not operate a  
2 32 personal watercraft in a manner that causes the personal  
2 33 watercraft to become airborne while the personal watercraft  
2 34 crosses the wake of another vessel within one hundred feet of  
2 35 the other vessel.

3 1 Sec. 7. Section [462A.12](#), subsection 6, Code 1999, is  
3 2 amended by striking the subsection and inserting in lieu  
3 3 thereof the following:

3 4 6. a. An owner or operator of any vessel propelled by a  
3 5 motor of more than six horsepower, including an owner of a  
3 6 boat livery, shall not permit any person under twelve years of  
3 7 age to operate the vessel unless accompanied by a responsible  
3 8 person of at least eighteen years of age. However, commencing  
3 9 July 1, 2002, a person who is twelve years of age or older but  
3 10 less than eighteen years of age shall not operate any vessel  
3 11 propelled by a motor of more than six horsepower unless  
3 12 accompanied by a responsible person of at least eighteen years  
3 13 of age or unless the person under eighteen years of age has  
3 14 successfully completed an approved watercraft safety course  
3 15 and has a watercraft safety certificate in immediate  
3 16 possession. Watercraft safety certificates from an approved  
3 17 course in another state or foreign nation will meet the  
3 18 requirements of this section. A person required to have a  
3 19 watercraft safety certificate shall carry and shall exhibit  
3 20 the certificate upon request of an officer of the department.  
3 21 A violation of this paragraph is a simple misdemeanor as  
3 22 provided in section [462A.13](#).

3 23 b. After July 1, 2000, an owner or operator of a personal  
3 24 watercraft, including an owner of a boat livery, shall not  
3 25 permit any person who is under twelve years of age to operate  
3 26 a personal watercraft unless accompanied by a responsible  
3 27 person of at least eighteen years of age. A person who is  
3 28 twelve years of age or older but less than eighteen years of  
3 29 age shall not operate a personal watercraft unless accompanied  
3 30 by a responsible person of at least eighteen years of age or  
3 31 unless the person under eighteen years of age has successfully  
3 32 completed an approved watercraft safety course and has a water  
3 33 safety certificate in immediate possession. Watercraft safety  
3 34 certificates from an approved course in another state or  
3 35 foreign nation will meet the requirements of this section. A  
4 1 person required to have a watercraft safety certificate shall  
4 2 carry and shall exhibit the certificate upon request of an  
4 3 officer of the department. A violation of this paragraph is a

4 4 simple misdemeanor as provided in section 462A.13.

4 5 Sec. 8. Section [462A.12](#), Code 1999, is amended by adding  
4 6 the following new subsections:

4 7 NEW SUBSECTION. 12. A person operating a personal  
4 8 watercraft equipped by the manufacturer with a lanyard-type  
4 9 engine cutoff switch shall attach the lanyard to the person's  
4 10 body, clothing, or personal flotation device as appropriate  
4 11 for the specific personal watercraft.

4 12 NEW SUBSECTION. 13. A person shall not operate a personal  
4 13 watercraft at any time between sunset and eight a.m.

4 14 NEW SUBSECTION. 14. A person shall not chase or harass  
4 15 wild animals while operating a personal watercraft.

4 16 Sec. 9. Section [462A.26](#), subsection 3, paragraph a,  
4 17 subparagraph (2), Code 1999, is amended by striking the  
4 18 subparagraph and inserting in lieu thereof the following:

4 19 (2) Motorboats or personal watercraft shall maintain a  
4 20 minimum passing or meeting distance of one hundred feet when  
4 21 both vessels are traveling at speeds greater than five miles  
4 22 per hour on public lakes or reservoirs or on the Mississippi  
4 23 or Missouri river. A minimum passing or meeting distance of  
4 24 fifty feet shall be maintained when motorboats and personal  
4 25 watercraft are traveling at speeds over five miles per hour on  
4 26 other rivers and streams.

4 27 EXPLANATION

4 28 This bill includes the following requirements and  
4 29 restrictions regarding the operation of various types of  
4 30 vessels:

4 31 1. A personal watercraft is defined as a vessel, under 16  
4 32 feet in length, which is propelled by a water jet pump or  
4 33 similar machinery and is designed to be operated by a person  
4 34 sitting, standing, or kneeling on the vessel.

4 35 2. The operator of a personal watercraft is required to  
5 1 wear an approved personal flotation device.

5 2 3. This bill provides that the department make proper  
5 3 operation decals for all personal watercraft and that the  
5 4 owner is responsible for affixing the decal on the vessel  
5 5 where it is clearly visible to the operator. The county  
5 6 recorders are responsible for distributing the decals when the  
5 7 watercraft is registered.

5 8 4. The department of natural resources shall establish a  
5 9 watercraft safety course which shall include personal  
5 10 watercraft curriculum and be taught in at least 12 counties  
5 11 not later than January 15, 2000. Not later than January 15,  
5 12 2002, the watercraft safety course shall be taught in at least  
5 13 one-half of the counties. A watercraft safety certificate  
5 14 shall be issued without fee upon successful completion of the  
5 15 course. A five dollar fee shall be charged for a duplicate  
5 16 certificate.

5 17 5. A person under 12 years of age shall not operate a  
5 18 vessel propelled by a motor of more than six horsepower unless  
5 19 accompanied by a responsible person of at least 18 years of  
5 20 age. However, commencing July 1, 2002, a person who is at  
5 21 least 12 years of age but less than 18 years of age shall not  
5 22 operate a vessel which is propelled by a motor of more than  
5 23 six horsepower unless accompanied by a responsible person of  
5 24 at least 18 years of age or unless the person under 18 years  
5 25 of age has successfully completed an approved watercraft  
5 26 safety course and has a watercraft safety certificate in  
5 27 immediate possession.

5 28 6. After July 1, 2000, an owner or operator of a personal  
5 29 watercraft, including the owner of a boat livery, shall not  
5 30 permit a person under 12 years of age to operate a personal  
5 31 watercraft unless accompanied by a responsible person of at  
5 32 least 18 years of age or unless the person who is 12 years of  
5 33 age or older or less than 18 years of age has successfully  
5 34 completed an approved watercraft safety course and has a  
5 35 watercraft safety certificate in immediate possession.

6 1 7. The owner or operator of each vessel shall provide that  
6 2 the vessel carry at least one life preserver, life belt, ring  
6 3 buoy, or other device as prescribed by rules of the commission  
6 4 for each passenger, which is placed to be easily accessible.  
6 5 This requirement does not apply to a racing shell or sailboard  
6 6 used for wind surfing.

6 7 8. The registration and capacity numbers are no longer  
6 8 required to be displayed on the bottom surface of a sailboat  
6 9 bow.

6 10 9. Personal watercraft shall not be operated in a manner  
6 11 which will cause the personal watercraft to become airborne  
6 12 while crossing the wake of another vessel within 100 feet of  
6 13 the other vessel.

6 14 10. Lanyard is defined as a cord, rope, or wire, which  
6 15 connects an operator with a motorized vessel and is designed  
6 16 to stop the motor when disconnected.

6 17 11. A person operating a personal watercraft equipped by  
6 18 the manufacturer with a lanyard-type engine cutoff is required  
6 19 to attach the lanyard to the operator's body, clothing, or  
6 20 personal flotation device as appropriate.

6 21 12. A person shall not operate a personal watercraft at  
6 22 any time after sunset and before eight a.m. of the following  
6 23 day.

6 24 13. A person shall not chase or harass wild animals while  
6 25 operating a personal watercraft.

6 26 14. Motorboats or personal watercraft shall maintain a  
6 27 minimum passing or meeting distance of 100 feet when both  
6 28 vessels are traveling at speeds of more than five miles per  
6 29 hour on public lakes or reservoirs or on the Mississippi or  
6 30 Missouri river. A minimum passing or meeting distance of 50  
6 31 feet shall be maintained when motorboats or personal  
6 32 watercraft are traveling at speeds over five miles per hour on  
6 33 other rivers and streams.

6 34 LSB 1085DP 78

6 35 tj/sc/14.2