

FIRST REGULAR SESSION

HOUSE BILL NO. 320

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WILLIAMS, HENDERSON (Co-sponsors),
BOUCHER AND FRANKLIN.

Read 1st time January 10, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0415L.011

AN ACT

To repeal section 306.122, RSMo 2000, relating to watercraft regulation, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 306.122, RSMo 2000, is repealed and three new sections enacted in lieu thereof, to be known as sections 306.122, 306.123 and 306.128, to read as follows:

306.122. No person under [fourteen] **sixteen** years of age shall operate any motorboat or vessel upon the waters of this state unless such person [is under the direct on-board supervision of a parent, guardian or other person sixteen years of age or older, or] **was at least fourteen years of age on or before August 28, 2001, or** unless the motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under the person's control to be operated on the waters of this state in violation of this section, nor shall a parent or guardian authorize or knowingly permit such a child, under [fourteen] **sixteen** years of age, to operate a motorboat in violation of this section.

306.123. 1. Every person born after August 28, 1980, or as required pursuant to section 306.128, who operates a vessel or personal watercraft shall possess, on the vessel or personal watercraft, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

9 patrol may appoint agents to administer a boater education course or course equivalency
10 examination and issue boater identification cards under guidelines established by the water
11 patrol. The Missouri state water patrol shall maintain a list of approved courses; or

12 (2) Successfully passed an equivalency examination prepared by the Missouri state
13 water patrol and administered by the Missouri state water patrol or its agent. The
14 equivalency examination shall have a degree of difficulty equal to, or greater than, that of
15 the examinations given at the conclusion of an approved boating safety course; or

16 (3) A valid master's, mate's or operator's license issued by the United States Coast
17 Guard.

18 2. The Missouri state water patrol or its agent shall issue a permanent boating
19 safety identification card to each person who complies with the requirements of this section
20 which is valid for life unless invalidated pursuant to law.

21 3. The Missouri state water patrol may charge a fee for such card that does not
22 substantially exceed the costs of administrating this section. These funds shall be
23 forwarded to general revenue.

24 4. The provisions of this section shall not apply to any person who:

25 (1) Is licensed by the United States Coast Guard to serve as master of a vessel;

26 (2) Operates a vessel or personal watercraft only on a private lake or pond that is
27 not classified as waters of the state;

28 (3) Until December 31, 2003, is a nonresident who is visiting the state for sixty days
29 or less;

30 (4) Is participating in an event or regatta approved by the water patrol;

31 (5) Is a nonresident who has proof of a valid boating certificate or license issued by
32 another state if the boating course is approved by the National Association of State Boating
33 Law Administrators; or

34 (6) Is exempted by rule of the water patrol.

35 5. The Missouri state water patrol shall inform other states of the requirements of
36 this section.

37 6. Any person who violates the provisions of this section is guilty of a class C
38 misdemeanor and for a second or subsequent offense is guilty of a class B misdemeanor.

39 7. No rule or portion of a rule promulgated pursuant to the authority of this section
40 shall become effective unless it has been promulgated pursuant to the provisions of chapter
41 536, RSMo.

42 306.128. 1. Any person convicted of an offense pursuant to section 306.110,
43 306.111, 306.112, 306.123, 306.132 or 306.141 shall:

44 (1) Enroll in and successfully complete, at his or her own expense, a boating safety

45 **education course that meets minimum standards established by the water patrol by rule;**
46 **(2) File with the court proof of successful completion of such course and submit a**
47 **certified copy to the water patrol; and**
48 **(3) Not operate a vessel until such filing.**
49 **2. No rule or portion of a rule promulgated pursuant to the authority of this section**
50 **shall become effective unless it has been promulgated pursuant to the provisions of chapter**
51 **536, RSMo.**