

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 785
97TH GENERAL ASSEMBLY

Reported from the Committee on Transportation and Infrastructure, March 13, 2014, with recommendation that the Senate Committee Substitute do pass.

5604S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boating safety identification cards.

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

Section A. Section 306.127, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 306.127, to read as follows:

306.127. 1. Beginning January 1, 2005, every person born after January
2 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the
3 lakes of this state shall possess, on the vessel, a boating safety identification card
4 issued by the water patrol division or its agent which shows that he or she has:

5 (1) Successfully completed a boating safety course approved by the
6 National Association of State Boating Law Administrators and certified by the
7 water patrol division. The boating safety course may include a course sponsored
8 by the United States Coast Guard Auxiliary or the United States Power
9 Squadron. The water patrol division may appoint agents to administer a boater
10 education course or course equivalency examination and issue boater
11 identification cards under guidelines established by the water patrol. The water
12 patrol division shall maintain a list of approved courses; or

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

18 (3) A valid master's, mate's, or operator's license issued by the United

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

19 States Coast Guard.

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

23 3. The water patrol division may charge a fee for such card or any
24 replacement card that does not substantially exceed the costs of administrating
25 this section. The water patrol division or its designated agent shall collect such
26 fees. These funds shall be forwarded to general revenue.

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

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

30 (2) Operates a vessel only on a private lake or pond that is not classified
31 as waters of the state;

32 (3) Until January 1, 2006, is a nonresident who is visiting the state for
33 sixty days or less;

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

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

38 (6) Is exempted by rule of the water patrol;

39 (7) Is currently serving in any branch of the United States Armed Forces,
40 reserves, or Missouri National Guard, or any spouse of a person currently in such
41 service; or

42 (8) Has previously successfully completed a boating safety education
43 course approved by the National Association of State Boating Law Administrators
44 (NASBLA).

45 5. The water patrol division shall inform other states of the requirements
46 of this section.

47 6. No individual shall be detained or stopped strictly for the purpose of
48 checking whether the individual possesses a boating safety identification card or
49 a temporary boater education permit.

50 7. Any person or company that rents or sells vessels may issue a
51 temporary boating safety identification card to **[a nonresident of the state] an**
52 **individual** to operate a rented vessel or a vessel being considered for sale, for
53 a period of up to seven days, provided that the individual meets the minimum age
54 requirements for operating a vessel in this state. In order to qualify for the

55 temporary boating safety identification card, the applicant shall provide a valid
56 driver's license [establishing that the applicant is a nonresident] and shall sign
57 an affidavit that he or she has reviewed the Missouri state highway patrol
58 handbook of Missouri boating laws and responsibilities. Any [nonresident]
59 **individual** holding a valid temporary boating safety identification card shall be
60 deemed in compliance with the requirements of this section. The Missouri state
61 highway patrol shall charge a fee of nine dollars for such temporary boating
62 safety identification card. [Nonresidents] **Individuals** shall not be eligible for
63 more than one temporary boating safety identification card. No person or
64 company may issue a temporary boating safety identification card to [a
65 nonresident] **an individual** under the provisions of this subsection unless such
66 person or company is capable of submitting the applicant's temporary boating
67 safety identification card information and payment in an electronic format as
68 prescribed by the Missouri state highway patrol. The business entity issuing a
69 temporary boating safety identification card to [a nonresident] **an individual**
70 under the provisions of this subsection shall transmit the applicant's temporary
71 boating safety identification card information electronically to the Missouri state
72 highway patrol, in a manner and format prescribed by the superintendent, using
73 an electronic online registration process developed and provided by the Missouri
74 state highway patrol. The electronic online process developed and provided by
75 the Missouri state highway patrol shall allow the applicant to pay the temporary
76 boating safety identification card fee by credit card or debit
77 card. Notwithstanding any provision in section 306.185 to the contrary, all fees
78 collected under the authority of this subsection shall be deposited in the water
79 patrol division fund. The Missouri state highway patrol shall promulgate rules
80 for developing the temporary boating safety identification card and any
81 requirements necessary to the issuance, processing, and payment of the
82 temporary boating safety identification card. The Missouri state highway patrol
83 shall, by rule, develop a boating safety checklist for each applicant seeking a
84 temporary boating safety identification card. **Nothing in this subsection shall**
85 **allow a holder of a temporary boating safety identification card to**
86 **receive a notation on the person's driver's license or nondriver**
87 **identification under section 302.184.** The provisions of this subsection shall
88 expire on December 31, 2022.

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