

SECOND REGULAR SESSION

# SENATE BILL NO. 785

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time January 27, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5604S.011

## 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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the water patrol division 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 water patrol division. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The water patrol division may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The water patrol division shall maintain a list of approved courses; or

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

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

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

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. The provisions of this subsection  
85 shall expire on December 31, 2022.

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