

FIRST REGULAR SESSION

# SENATE BILL NO. 231

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time January 13, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1207S.011

## AN ACT

To repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

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

Section A. Section 306.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.100, to read as follows:

306.100. 1. For the purpose of this section, vessels shall be divided into four classes as follows:

- (1) Class A, less than sixteen feet in length;
- (2) Class 1, at least sixteen and less than twenty-six feet in length;
- (3) Class 2, at least twenty-six and less than forty feet in length;
- (4) Class 3, forty feet and over.

2. All vessels shall display from sunset to sunrise the following lights when under way, and during such time no other lights, continuous spotlights or docking lights, or other nonprescribed lights shall be exhibited:

- (1) Vessels of classes A and 1:
  - (a) A bright white light aft to show all around the horizon;
  - (b) A combined light in the forepart of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on their respective sides;
- (2) Vessels of classes 2 and 3:
  - (a) A bright white light in the forepart of the vessel as near the stem as practicable, so constructed as to show the unbroken light over an arc of the horizon of twenty points (225 degrees) of the compass, so fixed as to throw the light ten points (112 1/2 degrees) on each side of the vessel; namely, from right

21 ahead to two points (22 1/2 degrees) abaft the beam on either side;

22 (b) A bright white light aft to show all around the horizon and higher  
23 than the white light forward;

24 (c) On the starboard side a green light so constructed as to show an  
25 unbroken light over an arc of the horizon of ten points (112 1/2 degrees) of the  
26 compass, so fixed as to throw the light from right ahead to two points (22 1/2  
27 degrees) abaft the beam on the starboard side; on the port side a red light so  
28 constructed as to show an unbroken light over an arc of the horizon of ten points  
29 (112 1/2 degrees) of the compass, so fixed as to throw the light from right ahead  
30 to two points (22 1/2 degrees) abaft the beam on the portside. The side lights  
31 shall be fitted with inboard screens so set as to prevent these lights from being  
32 seen across the bow;

33 (3) Vessels of classes A and 1 when propelled by sail alone shall exhibit  
34 the combined light prescribed by this section and a twelve point (135 degree)  
35 white light aft. Vessels of classes 2 and 3, when so propelled, shall exhibit the  
36 colored side lights, suitably screened, prescribed by this section and a twelve  
37 point (135 degree) white light aft;

38 (4) All vessels between the hours of sunset and sunrise that are not under  
39 way, moored at permanent dockage or attached to an immovable object on shore  
40 so that they do not extend more than fifty feet from the shore shall display one  
41 three-hundred-sixty-degree white light visible three hundred sixty degrees around  
42 the horizon;

43 (5) Every white light prescribed by this section shall be of such character  
44 as to be visible at a distance of at least two miles. Every colored light prescribed  
45 by this section shall be of such character as to be visible at a distance of at least  
46 one mile. The word "visible" in this subsection, when applied to lights, shall  
47 mean visible on a dark night with clear atmosphere;

48 (6) When propelled by sail and machinery every vessel shall carry the  
49 lights required by this section for a motorboat propelled by machinery only.

50 3. Any watercraft not defined as a vessel shall, from sunset to sunrise,  
51 carry, ready at hand, a lantern or flashlight showing a white light which shall be  
52 exhibited in sufficient time to avert collision.

53 4. Any vessel may carry and exhibit the lights required by the federal  
54 regulations for preventing collisions at sea, in lieu of the lights required by  
55 subsection 2 of this section.

56 5. All other watercraft over sixty-five feet in length and those propelled

57 solely by wind effect on the sail shall display lights prescribed by federal  
58 regulations.

59         6. Any watercraft used by a person engaged in the act of sport fishing is  
60 not required to display any lights required by this section if no other vessel is  
61 within the immediate vicinity of the first vessel, the vessel is using an electric  
62 trolling motor and the vessel is within fifty feet of the shore.

63         7. Every vessel, except those in class A, shall have on board at least one  
64 wearable personal flotation device of type I, II or III for each person on board and  
65 each person being towed who is not wearing one. Every such vessel shall also  
66 have on board at least one type IV throwable personal flotation device.

67         8. All class A motorboats and all watercraft traveling on the waters of this  
68 state shall have on board at least one type I, II, III or IV personal flotation device  
69 for each person on board and each person being towed who is not wearing one.

70         9. All lifesaving devices required by subsections 7 and 8 of this section  
71 shall be United States Coast Guard approved, in serviceable condition and so  
72 placed as to be readily accessible.

73         10. Every vessel which is carrying or using flammable or toxic fluid in any  
74 enclosure for any purpose, and which is not an entirely open vessel, shall have  
75 an efficient natural or mechanical ventilation system which must be capable of  
76 removing resulting gases prior to and during the time the vessel is occupied by  
77 any person.

78         11. Motorboats shall carry on board at least the following United States  
79 Coast Guard approved fire extinguishers:

80         (1) Every class A and every class 1 motorboat carrying or using gasoline  
81 or any other flammable or toxic fluid, one B1 type fire extinguisher;

82         (2) Every class 2 motorboat[, one B2 or two B1 type fire extinguishers;]:

83                 **(a) Two B1 type fire extinguishers; or**

84                 **(b) One B2 type fire extinguisher; or**

85                 **(c) A fixed fire extinguishing system and one B1 type fire**  
86 **extinguisher; and**

87         (3) Every class 3 motorboat:

88                 (a) Three B1 type fire extinguishers; or

89                 (b) One B2 type and one B1 type fire extinguisher; or

90                 (c) A fixed fire extinguishing system and one B2 type fire extinguisher; or

91                 (d) A fixed fire extinguishing system and two B1 type fire extinguishers.

92         12. All class 1 and 2 motorboats and vessels shall have a sounding device.

93 All class 3 motorboats and vessels shall have at least a sounding device and one  
94 bell.

95 13. No person shall operate any watercraft which is not equipped as  
96 required by this section.

97 14. A water patrol division officer may direct the operator of any  
98 watercraft being operated without sufficient personal flotation devices,  
99 fire-fighting devices or in an overloaded or other unsafe condition or manner to  
100 take whatever immediate and reasonable steps are necessary for the safety of  
101 those aboard when, in the judgment of the officer, such operation creates a  
102 hazardous condition. The officer may direct the operator to return the watercraft  
103 to the nearest safe mooring and to remain there until the situation creating the  
104 hazardous condition is corrected.

105 15. A water patrol division officer may remove any unmanned or  
106 unattended watercraft from the water when, in the judgment of the officer, the  
107 watercraft creates a hazardous condition.

108 16. Nothing in this section shall prohibit the use of additional specialized  
109 lighting used in the act of sport fishing.

Bill ✓

Copy