

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 752
99TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, Infrastructure and Public Safety, February 15, 2018, with recommendation that the Senate Committee Substitute do pass.

4673S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

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

Section A. Section 306.126, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.126, to read as follows:

306.126. 1. The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term "adequate guards or railing" means guards or railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail **or vessels propelled by outboard jet motors operating on a stretch of waterway not created or widened by impoundment.**

2. Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for three hundred

21 sixty degrees around the horizon when displayed and shall be displayed only
22 when an occupant of the watercraft has left the confines of the watercraft and
23 entered the water. The flag required by this subsection shall not be displayed
24 when the watercraft is engaged in towing any person, but shall be displayed when
25 such person has ceased being towed and has reentered the water.

26 3. No operator shall knowingly operate any watercraft within fifty yards
27 of a flag required by subsection 2 of this section at a speed in excess of a slow-no
28 wake speed.

Unofficial

Bill

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