

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 782

100TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR BROWN.

Pre-filed December 11, 2019, and ordered printed.

Read 2nd time February 13, 2020, and referred to the Committee on Transportation, Infrastructure and Public Safety.

Reported from the Committee March 12, 2020, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up April 29, 2020. Read 3rd time and placed upon its final passage; bill passed.

ADRIANE D. CROUSE, Secretary.

4375S.01P

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## AN ACT

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

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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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

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

17 safety course; or

18 (3) A valid master's, mate's, or operator's license issued by the United  
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 an individual to operate a rented  
52 vessel or a vessel being considered for sale, for a period of up to seven days,

53 provided that the individual meets the minimum age requirements for operating  
54 a vessel in this state. In order to qualify for the temporary boating safety  
55 identification card, the applicant shall provide a valid driver's license and shall  
56 sign an affidavit that he or she has reviewed the Missouri state highway patrol  
57 handbook of Missouri boating laws and responsibilities. Any individual holding  
58 a valid temporary boating safety identification card shall be deemed in  
59 compliance with the requirements of this section. The Missouri state highway  
60 patrol shall charge a fee of nine dollars for such temporary boating safety  
61 identification card. Individuals shall not be eligible for more than one temporary  
62 boating safety identification card. No person or company may issue a temporary  
63 boating safety identification card to an individual under the provisions of this  
64 subsection unless such person or company is capable of submitting the applicant's  
65 temporary boating safety identification card information and payment in an  
66 electronic format as prescribed by the Missouri state highway patrol. The  
67 business entity issuing a temporary boating safety identification card to an  
68 individual under the provisions of this subsection shall transmit the applicant's  
69 temporary boating safety identification card information electronically to the  
70 Missouri state highway patrol, in a manner and format prescribed by the  
71 superintendent, using an electronic online registration process developed and  
72 provided by the Missouri state highway patrol. The electronic online process  
73 developed and provided by the Missouri state highway patrol shall allow the  
74 applicant to pay the temporary boating safety identification card fee by credit  
75 card or debit card. Notwithstanding any provision in section 306.185 to the  
76 contrary, all fees collected under the authority of this subsection shall be  
77 deposited in the water patrol division fund. The Missouri state highway patrol  
78 shall promulgate rules for developing the temporary boating safety identification  
79 card and any requirements necessary to the issuance, processing, and payment  
80 of the temporary boating safety identification card. The Missouri state highway  
81 patrol shall, by rule, develop a boating safety checklist for each applicant seeking  
82 a temporary boating safety identification card. Nothing in this subsection shall  
83 allow a holder of a temporary boating safety identification card to receive a  
84 notation on the person's driver's license or nondriver identification under section  
85 302.184. The provisions of this subsection shall expire on December 31, [2022]  
86 **2032.**