

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1259
92ND GENERAL ASSEMBLY

Reported from the Committee on Transportation and Motor Vehicles, April 27, 2004, with recommendation that the House Committee Substitute for Senate Bill No. 1259 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

4271L.03C

AN ACT

To repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boater education permits.

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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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, operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol 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 Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol 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 Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol 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

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

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

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

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

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

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

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

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

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

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

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

35 (7) Is currently serving in any branch of the United States armed forces, reserves, or
36 Missouri national guard, or any spouse of a person currently in such service; or

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

39 5. The Missouri state water patrol shall inform other states of the requirements of this
40 section.

41 6. No individual shall be detained or stopped strictly for the purpose of checking [for
42 said] **whether the individual possesses a boating safety identification card or a temporary**
43 **boater education permit.**

44 **7. Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring**
45 **to operate a rental vessel on the lakes of this state, may obtain a temporary boater**
46 **education permit by completing and passing a written examination developed by the**
47 **Missouri state water patrol, provided the person meets the minimum age requirements for**
48 **operating a vessel in this state. The Missouri state water patrol is authorized to**
49 **promulgate rules for developing the examination and any requirements necessary for**
50 **issuance of the temporary boater education permit. The temporary boater education**
51 **permit shall expire when the nonresident obtains a permanent identification card pursuant**

52 to subsection 2 of this section or thirty days after issuance, whichever occurs first. The
53 Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary
54 permit. Upon successful completion of an examination and prior to renting a vessel, the
55 business entity responsible for giving the examination shall collect such fee and forward
56 all collected fees to the Missouri state water patrol on a monthly basis for deposit in the
57 state general revenue fund. Such business entity shall incur no additional liability in
58 accepting the responsibility for administering the examination. This subsection shall
59 terminate on December 31, 2010.