

SECOND REGULAR SESSION

HOUSE BILL NO. 1610

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor), SCHAD, FRANZ, JONES (117),
CUNNINGHAM (86), GEORGE, BROWN (50), MUSCHANY, JONES (89),
WALTON AND STEVENSON (Co-sponsors).

Read 1st time January 10, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3903L.01I

AN ACT

To repeal sections 306.125 and 306.903, RSMo, and to enact in lieu thereof two new sections relating to water safety, with penalty provisions.

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

Section A. Sections 306.125 and 306.903, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 306.125 and 306.903, to read as follows:

306.125. 1. Every person shall operate a motorboat, vessel or watercraft in a careful and
2 prudent manner and at a rate of speed so as not to endanger the property of another or the life or
3 limb of any person and shall exercise the highest degree of care.

4 2. No person shall operate a motorboat, vessel or watercraft at any time from a half-hour
5 after sunset until an hour before sunrise the following day at a speed exceeding thirty miles per
6 hour. This subsection shall only apply to the waters of the Mississippi River, the waters of the
7 Missouri River, and lakes with an aggregate shoreline in excess of one hundred sixty miles.

8 3. Vessels **less than thirty feet in length** shall not be operated within one hundred feet
9 of any dock, pier, **or** occupied anchored [boat or buoyed restricted area] **vessel** on any lake at
10 a speed in excess of slow-no wake speed. **Vessels thirty feet in length or greater shall not be**
11 **operated within three hundred feet of any dock, pier, or occupied anchored vessel, on any**
12 **lake at a speed in excess of slow-no wake speed. The provisions of this subsection shall not**
13 **apply to any vessel operated by a member of the state water patrol, a law enforcement**

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

14 **officer, or emergency personnel when such vessel is being operated to respond to an**
15 **emergency call, a law enforcement investigation, or other authorized law enforcement**
16 **activity.**

17 4. Subsection 1 of this section shall not apply to a motorboat or other boat race
18 authorized under section 306.130.

306.903. 1. Any person who abandons a boat dock and permits it to float freely without
2 being moored upon lakes having at least nine hundred fifty miles of aggregate shoreline **and**
3 **lakes constructed or maintained by the United States Army Corps of Engineers, except**
4 **bodies of water owned by a person, corporation, association, partnership, municipality or**
5 **other political subdivision, public water supply impoundments, and except drainage**
6 **ditches constructed by a drainage district, but not to include any body of water which has**
7 **been leased to or owned by the state department of conservation** is guilty of an infraction,
8 the penalty for which shall be a fine of not less than twenty-five dollars or more than one
9 hundred dollars.

10 2. Any person who abandons a boat dock shall be responsible for the retrieval and
11 disposal of such boat dock. Any person who violates subsection 1 of this section and who does
12 not properly retrieve and dispose of such abandoned boat dock shall, upon a plea of guilty or a
13 finding of guilt for such an offense, be ordered to reimburse the appropriate law enforcement
14 agency, including the state water patrol, for the costs associated with the retrieval and disposal
15 of the abandoned boat dock. The law enforcement agency may establish a schedule of such
16 costs. However, the court may reduce the costs if it determines that the costs are excessive.

17 3. The state water patrol may accept gifts, grants, in-kind services and appropriations,
18 and may enter into contracts with private or public entities for the enforcement and
19 administration of this section.

20 4. Beginning January 1, 1996, any person owning a boat dock on lakes having at least
21 nine hundred fifty miles of shoreline shall display identifying information on the dock, including
22 but not limited to, a permit number issued to the owner by an entity having authority to issue
23 such identification or permit number. Any person owning a boat dock on lakes having at least
24 nine hundred fifty miles of aggregate shoreline who violates this subsection may be guilty of an
25 infraction, the penalty for which shall not exceed twenty-five dollars.

26 **5. Beginning January 1, 2010, any person owning a boat dock on lakes having at**
27 **least nine hundred fifty miles of shoreline and lakes constructed or maintained by the**
28 **United States Army Corps of Engineers, except bodies of water owned by a person,**
29 **corporation, association, partnership, municipality or other political subdivision, public**
30 **water supply impoundments, and except drainage ditches constructed by a drainage**
31 **district, but not to include any body of water which has been leased to or owned by the**

32 state department of conservation shall display identifying information on the dock,
33 including but not limited to, a permit number issued to the owner by an entity having
34 authority to issue such identification or permit number and the "911" address nearest to
35 the dock by land. Any person who violates this subsection may be guilty of an infraction,
36 the penalty for which shall not exceed twenty-five dollars.

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