

SECOND REGULAR SESSION

HOUSE BILL NO. 1646

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BROWN (116) (Sponsor) and SCHAD (Co-sponsor).

4857L.03I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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

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 whether
42 the individual possesses a boating safety identification card or a temporary boater education
43 permit.

44 7. [Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to
45 operate a rental vessel on the lakes of this state, may obtain a temporary boater education permit
46 by completing and passing a written examination developed by the Missouri state water patrol,
47 provided the person meets the minimum age requirements for operating a vessel in this state.
48 The Missouri state water patrol is authorized to promulgate rules for developing the examination
49 and any requirements necessary for issuance of the temporary boater education permit. The
50 temporary boater education permit shall expire when the nonresident obtains a permanent
51 identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever

52 occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such
53 temporary permit. Upon successful completion of an examination and prior to renting a vessel,
54 the business entity responsible for giving the examination shall collect such fee and forward all
55 collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general
56 revenue fund. Such business entity shall incur no additional liability in accepting the
57 responsibility for administering the examination. This subsection shall terminate on December
58 31, 2010.] **Any person or company that rents or sells vessels may issue a temporary boating**
59 **safety identification card to a nonresident of the state to operate a rented vessel or a vessel**
60 **being considered for sale, for a period of up to seven days, provided that the individual**
61 **meets the minimum age requirements for operating a vessel in this state. In order to**
62 **qualify for the temporary boating safety identification card, the applicant shall sign an**
63 **affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of**
64 **Missouri Boating Laws and Responsibilities. Any nonresident holding a temporary**
65 **boating safety identification card shall be deemed in compliance with the requirements of**
66 **this section. The Missouri state highway patrol shall charge a fee of seven dollars for such**
67 **temporary boating safety identification card. The business entity renting the vessel shall**
68 **be responsible for processing the temporary boating safety identification card and shall**
69 **collect and forward all fees collected and copies of all temporary boating safety**
70 **identification cards issued to the Missouri state water patrol on a monthly basis. All fees**
71 **collected under the authority of this subsection shall be deposited in the Missouri state**
72 **water patrol fund as established in section 306.185. The Missouri state water patrol is**
73 **authorized to develop the temporary boating safety identification card. Nonresidents shall**
74 **not be eligible for more than one temporary boating safety identification card.**

Section B. Because immediate action is necessary to protect the economic viability of
2 the boat rental industry during the vacation season, this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace, and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution, and this act shall be in full force
5 and effect upon its passage and approval.

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