

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1935

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

4291H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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 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 water patrol division 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 water patrol division may charge a fee for such card or any replacement card that
22 does not substantially exceed the costs of administering this section. The water patrol division
23 or its designated agent shall collect such fees. These funds shall be forwarded to general
24 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 water patrol division shall inform other states of the requirements of this section.

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

43 7. Any person or company that rents or sells vessels may issue a temporary boating
44 safety identification card to an individual to operate a rented vessel or a vessel being considered
45 for sale, for a period of up to seven days, provided that the individual meets the minimum age
46 requirements for operating a vessel in this state. In order to qualify for the temporary boating
47 safety identification card, the applicant shall provide a valid driver's license and shall sign an
48 affidavit that he or she has reviewed the Missouri state highway patrol handbook of Missouri
49 boating laws and responsibilities. Any individual holding a valid temporary boating safety
50 identification card shall be deemed in compliance with the requirements of this section. The
51 Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety

52 identification card. Individuals shall not be eligible for more than one temporary boating safety
53 identification card. No person or company may issue a temporary boating safety identification
54 card to an individual under the provisions of this subsection unless such person or company is
55 capable of submitting the applicant's temporary boating safety identification card information
56 and payment in an electronic format as prescribed by the Missouri state highway patrol. The
57 business entity issuing a temporary boating safety identification card to an individual under the
58 provisions of this subsection shall transmit the applicant's temporary boating safety identification
59 card information electronically to the Missouri state highway patrol, in a manner and format
60 prescribed by the superintendent, using an electronic online registration process developed and
61 provided by the Missouri state highway patrol. The electronic online process developed and
62 provided by the Missouri state highway patrol shall allow the applicant to pay the temporary
63 boating safety identification card fee by credit card or debit card. Notwithstanding any provision
64 in section 306.185 to the contrary, all fees collected under the authority of this subsection shall
65 be deposited in the water patrol division fund. The Missouri state highway patrol shall
66 promulgate rules for developing the temporary boating safety identification card and any
67 requirements necessary to the issuance, processing, and payment of the temporary boating safety
68 identification card. The Missouri state highway patrol shall, by rule, develop a boating safety
69 checklist for each applicant seeking a temporary boating safety identification card. Nothing in
70 this subsection shall allow a holder of a temporary boating safety identification card to receive
71 a notation on the person's driver's license or nondriver identification under section 302.184. The
72 provisions of this subsection shall expire on December 31, ~~2022~~ **2032**.

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