

FIRST REGULAR SESSION

# HOUSE BILL NO. 1419

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MAYHEW.

3008H.011

JOSEPH ENGLER, Chief Clerk

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Section A. Section 306.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.127, to read as follows: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

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

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.

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  
22 that does not substantially exceed the costs of administrating this section. The water patrol  
23 division or its designated agent shall collect such fees. These funds shall be forwarded to  
24 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  
28 the state;

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

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

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

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

36           (7) Is currently serving in any branch of the United States Armed Forces, reserves, or  
37 Missouri National Guard, or any spouse of a person currently in such service; or

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

40           5. The water patrol division shall inform other states of the requirements of this  
41 section.

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

45           7. Any person or company that rents or sells vessels may issue a temporary boating  
46 safety identification card to an individual to operate a rented vessel or a vessel being  
47 considered for sale, for a period of up to seven days, provided that the individual meets the  
48 minimum age requirements for operating a vessel in this state. In order to qualify for the  
49 temporary boating safety identification card, the applicant shall provide a valid driver's  
50 license and shall sign an affidavit that he or she has reviewed the Missouri state highway  
51 patrol handbook of Missouri boating laws and responsibilities. Any individual holding a  
52 valid temporary boating safety identification card shall be deemed in compliance with the  
53 requirements of this section. The Missouri state highway patrol shall charge a fee of nine  
54 dollars for such temporary boating safety identification card. Individuals shall not be eligible

55 for more than one temporary boating safety identification card. No person or company may  
56 issue a temporary boating safety identification card to an individual under the provisions of  
57 this subsection unless such person or company is capable of submitting the applicant's  
58 temporary boating safety identification card information and payment in an electronic format  
59 as prescribed by the Missouri state highway patrol. The business entity issuing a temporary  
60 boating safety identification card to an individual under the provisions of this subsection shall  
61 transmit the applicant's temporary boating safety identification card information  
62 electronically to the Missouri state highway patrol, in a manner and format prescribed by  
63 the superintendent, using an electronic online registration process developed and provided by  
64 the Missouri state highway patrol. The electronic online process developed and provided by  
65 the Missouri state highway patrol shall allow the applicant to pay the temporary boating  
66 safety identification card fee by credit card or debit card. Notwithstanding any provision in  
67 section 306.185 to the contrary, all fees collected under the authority of this subsection shall  
68 be deposited in the water patrol division fund. The Missouri state highway patrol shall  
69 promulgate rules for developing the temporary boating safety identification card and any  
70 requirements necessary to the issuance, processing, and payment of the temporary boating  
71 safety identification card. The Missouri state highway patrol shall, by rule, develop a boating  
72 safety checklist for each applicant seeking a temporary boating safety identification card.  
73 Nothing in this subsection shall allow a holder of a temporary boating safety identification  
74 card to receive a notation on the person's driver's license or nondriver identification under  
75 section 302.184. The provisions of this subsection shall expire on December 31, 2032.

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