

# VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

## CHAPTER 108

*An Act to amend and reenact §§ 29.1-737 and 29.1-742 of the Code of Virginia and to repeal § 29.1-743 of the Code of Virginia, relating to issuing of permits for certain aquatic events.*

[S 839]

Approved March 6, 1997

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 29.1-737 and 29.1-742 of the Code of Virginia are amended and reenacted as follows:**

§ 29.1-737. Muffling devices.

The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner. The muffling device shall exhaust at or below the water line or it shall be equipped with mechanical baffles. The use of cutouts is prohibited, except for motorboats competing in a regatta or boat race approved as provided in § 29.1-743, and for such motorboats while on trial runs within forty-eight hours immediately preceding such regatta or race or while competing in official trials for speed records within forty-eight hours immediately following such regatta or race as approved by the Department or the U.S. Coast Guard.

§ 29.1-742. Towing water skis, surfboards, etc.

A. No person shall operate a vessel on any waters of the Commonwealth for towing a person or persons on water skis, a surfboard, or a similar device unless there is in the vessel a person, in addition to the operator, in a position to observe the progress of the person or persons being towed or unless the skier or skiers wear life preservers.

B. No person shall operate a vessel on any water of the Commonwealth towing a person or persons on water skis, a surfboard, or a similar device, nor shall any person engage in water skiing or a similar activity at any time between the hours from one-half hour after sunset to one-half hour before sunrise. The provisions of this subsection shall not constitute a defense to any provision of § 29.1-738.

C. The provisions of subsections A and B of this section do not apply to a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized under § 29.1-743.

D. No person shall operate or manipulate any vessel, towrope, or other device by which the direction or location of water skis, a surfboard, or a similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person upon the device to collide with any object or person.

**2. That § 29.1-743 of the Code of Virginia is repealed.**