

1997 SESSION

INTRODUCED

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HOUSE BILL NO. 2237

Offered January 16, 1997

A BILL to amend and reenact §§ 29.1-747 and 29.1-748 of the Code of Virginia, relating to personal watercraft; penalty.

Patrons—Grayson and Murphy

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-747 and 29.1-748 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-747. Definitions.

As used in this article:

"Personal watercraft" is a type of motorboat and means a ~~small~~ Class A-1 or A-2 A vessel which uses an outboard motor, or an inboard motor powering a jet pump, as its primary motive power and which is designed to be operated by a person sitting, standing, or kneeling on, rather than in the conventional manner of sitting or standing inside, the vessel.

§ 29.1-748. Restrictions on operation; penalty.

A. It shall be unlawful for any person to:

1. Operate a personal watercraft unless he is at least fourteen years of age;
2. Operate a personal watercraft unless each person riding on the personal watercraft is wearing a type I, type II, type III, or type V personal flotation device approved by the United States Coast Guard;
3. Fail to attach the lanyard to his person, clothing, or personal flotation device, if the personal watercraft is equipped with a lanyard-type engine cut-off switch;
4. Operate a personal watercraft on the waters of the Commonwealth between sunset and sunrise;
5. Operate a personal watercraft while carrying a number of passengers in excess of the number for which the craft was designed by the manufacturer;
6. Operate a personal watercraft in excess of six knots within 200 feet of the shoreline or within 100 feet of any dock, pier or other permanent extension into public waters.

B. A violation of any provision of this section shall constitute a Class 4 misdemeanor.

C. A violation of this section shall not constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a personal watercraft, nor shall anything in this section change any existing law, rule, or procedure pertaining to any such civil action, nor shall this section bar any claim which otherwise exists.

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