

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 29.1-744 of the Code of Virginia, relating to the safe operation of*
3 *vessels.*

4 [H 2237]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 29.1-744 of the Code of Virginia is amended and reenacted as follows:**

8 § 29.1-744. Local regulation; application for placement of "no wake" buoys, speed, etc.

9 A. Any political subdivision of this Commonwealth may, at any time, but only after public notice,
10 formally apply to the Board for special rules and regulations with reference to the safe and reasonable
11 operation of vessels on any water within its territorial limits, *including but not limited to, the underway*
12 *speed* and shall specify in the application the reasons which make the special rules or regulations
13 necessary or appropriate.

14 B. The Board is authorized upon application by a political subdivision or its own motion to make
15 special or general rules and regulations with reference to the safe and reasonable operation of vessels on
16 any waters within the territorial limits of any political subdivision of this Commonwealth. Without
17 limiting the generality of the grant of such power, a system of regulatory or navigational markers may
18 be adopted by the Board. Nothing in this section shall be construed to affect the application of any
19 general law concerning the tidal waters of this Commonwealth.

20 C. Any county, city or town of this Commonwealth may enact ordinances which parallel general law
21 regulating the operation of vessels on any waters within its territorial limits, including the marginal
22 adjacent ocean, and the conduct and activity of any person using such waters. The locality may also
23 provide for enforcement and penalties for the violation of the ordinances, provided the penalties do not
24 exceed the penalties provided in this chapter for similar offenses.

25 D. Any person who desires to place "no wake" buoys or other markers relating to the safe and
26 efficient operation of vessels pursuant to any local ordinance shall apply to the local governing body.
27 The local governing body shall forward the application to the Director, who shall approve, disapprove or
28 approve with modifications within thirty days the placement and type of marker to be used. Any marker
29 or buoy which is not placed in conformance with the regulations of the Board or which is not properly
30 maintained may be removed by the Department.

ENROLLED

HB2237ER