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SENATE BILL NO. 1208

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 1, 1999)

(Patron Prior to Substitute—Senator Barry)

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 7 of Title 29.1 a section numbered 29.1-746.1, relating to safe operation of a motorboat; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 7 of Title 29.1 a section numbered 29.1-746.1 as follows:

§ 29.1-746.1. Safe boating reference card required; Department to provide card.

A. No person shall operate a motorboat on Virginia waters without having the most current Virginia Safe Boating Reference Card, hereafter referred to as the "card" on board in his possession. Any person who operates a motorboat shall be familiar with the information appearing on the card, the on-board safety equipment and the operation of the motorboat. The operator shall present the card upon the request of a law-enforcement officer and shall respond to questions regarding the safe operation of the motorboat.

B. The Department shall provide the card, which shall be updated periodically, to any person who requests it at a cost not to exceed three dollars. The card shall be in a laminated water-proof enclosure so that it can be easily available for reference. The Department shall determine the information to be placed on the card which shall include, but not be limited to, selected rules of navigation and state water safety laws. The Department, with appropriate advance notice, shall provide updated cards, to replace existing cards.

C. Law-enforcement officers may ascertain whether an operator of a motorboat is familiar with (i) the information contained on the card, (ii) on-board safety equipment, and (iii) motorboat operating procedures.

D. Any person who violates the provisions of this section by not having the card in his possession while operating a motorboat or not being familiar, in the judgment of a law-enforcement officer, with boating safety information described in subsection C of this section, is subject to a fine, not to exceed \$100.

2. That the provisions of this act shall become effective on January 1, 2000.