

12105519D

HOUSE BILL NO. 1119

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on March 1, 2012)

(Patron Prior to Substitute—Delegate Wright)

A *BILL to amend and reenact §§ 29.1-700 and 29.1-744.3 of the Code of Virginia, relating to wake surfing.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-700 and 29.1-744.3 of the Code of Virginia are amended and reenacted as follows:
§ 29.1-700. Definitions.

As used in this chapter, unless the context clearly requires a different meaning:

"Motorboat" means any vessel propelled by machinery whether or not the machinery is the principal source of propulsion.

"No wake" means operation of a motorboat at the slowest possible speed required to maintain steerage and headway.

"Operate" means to navigate or otherwise control the movement of a motorboat or a vessel.

"Owner" means a person, other than a lien holder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.

"Personal watercraft" means a motorboat less than sixteen feet in length which uses 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.

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

"Wake surfing" means a competitive or recreational water sport in which a person on a wakeboard, surfboard, or similar style board initially uses a tow rope to reach the top of a wave that is generated by a motorboat and once on the wave releases the tow rope and rides the steep face below the wave's peak using such board, provided that the motorboat is not propelled by an outboard motor, inboard/outboard motor, or water jet.

"Waters of the Commonwealth" means any public waters within the territorial limits of the Commonwealth, the adjacent marginal sea and the high seas when navigated as a part of a journey or ride to or from the Virginia shore.

§ 29.1-744.3. Slacken speed and control wakes near structures.

It shall be unlawful to operate any motorboat, except personal watercraft, at a speed greater than the slowest possible speed required to maintain steerage and headway when within ~~fty~~ 50 feet or less of docks, piers, boathouses, boat ramps, and people in the water. Nothing in this section shall prohibit (i) a motorboat from towing a person with a rope less than ~~fty~~ 50 feet in length or (ii) a motorboat from engaging in wake surfing.