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SENATE BILL NO. 1439

Senate Amendments in [] — February 3, 2015

A *BILL to amend and reenact § 29.1-735 of the Code of Virginia, relating to vessel operation; probable cause to stop.*

Patron Prior to Engrossment—Senator Stuart

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-735 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-735. Regulations for vessel operation and equipment.

A. The Board shall adopt such regulations as it deems appropriate: (i) to provide rules for the safe and reasonable operation of vessels so as to reduce the risks of collision, personal injury and property damage as a result of such operation; and (ii) to govern the number, type, condition, performance capabilities, use, and stowage on board, of lifesaving (personal flotation) devices and other safety equipment to be carried on vessels or classes of vessels operated on waters within the territorial limits of this Commonwealth.

B. The Board is hereby authorized to make regulations to the extent necessary to keep these requirements generally in conformity with the provisions of the federal navigation laws, or with the rules promulgated by the United States Coast Guard or the United States Secretary of Transportation.

C. No person shall operate or give permission for the operation of a vessel which is not equipped as required by Board regulations.

D. No law enforcement officer shall stop, board, or inspect any noncommercial vessel subject to regulations adopted pursuant to subsection A or B unless such officer has [~~probable cause to believe a reasonable and articulable suspicion~~] that a violation of such regulations exists. [The provisions of this subsection shall not affect stops to check licenses or creel limits.]

ENGROSSED

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