

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480,
2 Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

3
4 "306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required
5 pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a
6 boating safety identification card issued by the Missouri state water patrol or its agent which shows that
7 he or she has:

8 (1) Successfully completed a boating safety course approved by the National Association of State
9 Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course
10 may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power
11 Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or
12 course equivalency examination and issue boater identification cards under guidelines established by the
13 water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

14 (2) Successfully passed an equivalency examination prepared by the Missouri state water patrol
15 and administered by the Missouri state water patrol or its agent. The equivalency examination shall have
16 a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an
17 approved boating safety course; or

18 (3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

19 2. The Missouri state water patrol or its agent shall issue a permanent boating safety
20 identification card to each person who complies with the requirements of this section which is valid for
21 life unless invalidated pursuant to law.

22 3. The Missouri state water patrol may charge a fee for such card or any replacement card that
23 does not substantially exceed the costs of administrating this section. The Missouri state water patrol or
24 its designated agent shall collect such fees. These funds shall be forwarded to general revenue.

25 4. The provisions of this section shall not apply to any person who:

26 (1) Is licensed by the United States Coast Guard to serve as master of a vessel;

27 (2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;

28 (3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

29 (4) Is participating in an event or regatta approved by the water patrol;

30 (5) Is a nonresident who has proof of a valid boating certificate or license issued by another state
31 if the boating course is approved by the National Association of State Boating Law Administrators

1 (NASBLA);

2 (6) Is exempted by rule of the water patrol;

3 (7) Is currently serving in any branch of the United States armed forces, reserves, or Missouri
4 national guard, or any spouse of a person currently in such service; or

5 (8) Has previously successfully completed a boating safety education course approved by the
6 National Association of State Boating Law Administrators (NASBLA).

7 5. The Missouri state water patrol shall inform other states of the requirements of this section.

8 6. No individual shall be detained or stopped strictly for the purpose of checking whether the
9 individual possesses a boating safety identification card or a temporary boater education permit.

10 7. [Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to operate a
11 rental vessel on the lakes of this state, may obtain a temporary boater education permit by completing and
12 passing a written examination developed by the Missouri state water patrol, provided the person meets the
13 minimum age requirements for operating a vessel in this state. The Missouri state water patrol is
14 authorized to promulgate rules for developing the examination and any requirements necessary for
15 issuance of the temporary boater education permit. The temporary boater education permit shall expire
16 when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or
17 thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to
18 exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to
19 renting a vessel, the business entity responsible for giving the examination shall collect such fee and
20 forward all collected fees to the Missouri state water patrol on a monthly basis for deposit in the state
21 general revenue fund. Such business entity shall incur no additional liability in accepting the
22 responsibility for administering the examination. This subsection shall terminate on December 31, 2010.]

23 Any person or company that rents or sells vessels may issue a temporary boating safety identification card
24 to a nonresident of the state to operate a rented vessel or a vessel being considered for sale, for a period of
25 up to seven days, provided that the individual meets the minimum age requirements for operating a vessel
26 in this state. In order to qualify for the temporary boating safety identification card, the applicant shall
27 provide a valid driver's license establishing that the applicant is a nonresident and shall sign an affidavit
28 that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and
29 Responsibilities. Any nonresident holding a valid temporary boating safety identification card shall be
30 deemed in compliance with the requirements of this section. The Missouri state highway patrol shall
31 charge a fee of nine dollars for such temporary boating safety identification card. Nonresidents shall not
32 be eligible for more than one temporary boating safety identification card. No person or company may
33 issue a temporary boating safety identification card to a nonresident under the provisions of this
34 subsection unless such person or company is capable of submitting the applicant's temporary boating
35 safety identification card information and payment in an electronic format as prescribed by the Missouri
36 state highway patrol. The business entity issuing a temporary boating safety identification card to a
37 nonresident under the provisions of this subsection shall transmit the applicant's temporary boating safety
38 identification card information electronically to the Missouri state highway patrol, in a manner and format
39 prescribed by the superintendent, using an electronic online registration process developed and provided
40 by the Missouri state highway patrol. The electronic online process developed and provided by the

1 Missouri state highway patrol shall allow the applicant to pay the temporary boating safety identification
2 card fee by credit card or debit card. Notwithstanding any provision in section 306.185 to the contrary, all
3 fees collected under the authority of this subsection shall be deposited in the water patrol division fund.
4 The Missouri state highway patrol shall promulgate rules for developing the temporary boating safety
5 identification card and any requirements necessary to the issuance, processing, and payment of the
6 temporary boating safety identification card. The Missouri state highway patrol shall, by rule, develop a
7 boating safety checklist for each applicant seeking a temporary boating safety identification card. The
8 provisions of this subsection shall expire on December 31, 2022."; and

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10 Further amend said bill, Page 52, Section B, Line 7, by inserting after all of said section and line the
11 following:

12
13 "Section C. Because of the need to ensure that out-of-state residents are knowledgeable in the
14 safe operation of vessels, the repeal and reenactment of section 306.127 of this act is deemed necessary
15 for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be
16 an emergency act within the meaning of the constitution, and the repeal and reenactment of section
17 306.127 of this act shall be in full force and effect upon its passage and approval."; and

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19 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.