

SECOND REGULAR SESSION

HOUSE BILL NO. 1885

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOOD.

4756H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 306.125, RSMo, and to enact in lieu thereof two new sections relating to safety on the waters of this state.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 306.125, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 306.125 and 306.915, to read as follows:

2 306.125. 1. Every person shall operate a motorboat, vessel or watercraft in a careful and
2 prudent manner and at a rate of speed so as not to endanger the property of another or the life or
3 limb of any person and shall exercise the highest degree of care.

4 2. No person shall operate a motorboat, vessel or watercraft at any time from a half-hour
5 after sunset until an hour before sunrise the following day at a speed exceeding thirty miles per
6 hour.

7 3. Vessels shall not be operated within one hundred feet of any dock, pier, occupied
8 anchored boat or buoyed restricted area on any lake at a speed in excess of slow-no wake speed.

9 4. **Cruisers shall not be operated within three hundred feet from the shore at a
10 speed in excess of slow-no wake speed on any portion of a Missouri lake. For purposes of
11 this section, "Cruiser" means a vessel measuring over forty-five feet in length measured
12 from the swim platform to the tip of the bow with a living space below the main deck.**

13 5. **Vessels thirty feet in length or greater, or vessels of any length with ballast added
14 for the purpose of creating a larger wake, shall not engage in plowing within three hundred
15 feet of any dock, pier, occupied anchored boat, or buoyed restricted area on any portion
16 of a Missouri lake. For purposes of this section, "plowing" means intentionally operating
17 a vessel with the bow elevated.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **6. The water patrol division shall periodically review the slow no-wake provisions**
19 **of this section as they apply to the Lake of the Ozarks, with the first review to occur on or**
20 **before January 1, 2017, and subsequent review to occur every five years. Upon review, the**
21 **water patrol shall make recommendations as to any modifications needed to the slow-no**
22 **wake laws as they apply to the Lake of the Ozarks and the department of public safety may**
23 **promulgate all rules and regulations deemed appropriate based on the water patrol's**
24 **recommendations. Any rule or portion of a rule, as that term is defined in section 536.010,**
25 **that is created under the authority delegated in this section shall become effective only if**
26 **it complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
27 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
28 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
29 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
30 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2016,**
31 **shall be invalid and void.**

32 **7. Subsection 1 of this section shall not apply to a motorboat or other boat race**
33 **authorized under section 306.130.**

34 **8. A violation of any provision of this section shall be deemed an infraction.**

35 **306.915. 1. The water patrol division of the state highway patrol shall work in**
36 **conjunction with local law enforcement to provide guidance to citizens residing on or near**
37 **bodies of water who wish to establish cove watch programs.**

38 **2. For purposes of this section, "cove watch" means a group of people living in the**
39 **same area in residences located on or near a lake who want to make their neighborhood**
40 **cove safer by working together and in conjunction with the water patrol and local law**
41 **enforcement to reduce crime, promote safe water practices, and improve quality of life.**

42 **3. Once a cove watch program is established, the perimeters of a watch area shall**
43 **be designated and signs shall be posted on docks within the watch area to give notice that**
44 **the area is part of a cove watch program.**

45 **4. The department of public safety may promulgate all necessary rules and**
46 **regulations for the administration of this section. Any rule or portion of a rule, as that**
47 **term is defined in section 536.010, that is created under the authority delegated in this**
48 **section shall become effective only if it complies with and is subject to all of the provisions**
49 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
50 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
51 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
52 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
53 **proposed or adopted after August 28, 2016, shall be invalid and void.**