

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 317

4
5 By: Senator Whitaker

For An Act To Be Entitled

8 AN ACT TO ENSURE THE SAFETY OF BOAT DOCKS AND MARINAS
9 BY ESTABLISHING MINIMUM ELECTRICAL STANDARDS AND
10 PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.

Subtitle

14 JESSE'S LAW: TO ENSURE THE SAFETY OF BOAT
15 DOCKS AND MARINAS BY ESTABLISHING MINIMUM
16 ELECTRICAL STANDARDS AND PENALTIES FOR
17 VIOLATIONS.

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. NOT TO BE CODIFIED.

23 The General Assembly finds:

24 (1) Arkansas is known for its beautiful and abundant lakes and
25 rivers, which provide a draw for tourism and a boost for our economy;

26 (2) Our lakes and rivers should be a safe place for children and
27 families to enjoy;

28 (3) There have been cases recently where children have died
29 because the water where they were swimming was electrified by the ungrounded
30 and improper connection of electricity to boat docks and marinas;

31 (4) Electricity and water create a deadly combination that can
32 paralyze a swimmer which can result in the swimmer drowning, and children who
33 are swimming are particularly vulnerable to electrocution and shock in the
34 water;

35 (5) Ground fault circuit interrupters are an inexpensive
36 electrical device that if installed in boat docks and marinas can prevent



1 shock and electrocutions around boat docks and marinas, and they have been
2 available for many years; and

3 (6) Bringing boat docks and marinas up to the National Fire
4 Protection Association Standards for Marinas and Boatyards and the National
5 Electric Code is necessary for the protection and safety of all of those who
6 enjoy our lakes and rivers for recreation and to protect our tourism
7 industry.

8
9 SECTION 2. Arkansas Code Title 27, Chapter 101, is amended to add an
10 additional subchapter to read as follows:

11 Subchapter 8
12 Boat Dock and Marina Safety

13
14 27-101-801. Title.

15 This subchapter shall be known as the "Boat Dock and Marina Safety
16 Law".

17
18 27-101-802. Definitions.

19 As used in this subchapter:

20 (1) "Boat dock" means a man-made structure that:

21 (A) Protrudes into a body of water for the purpose of mooring a
22 boat or for other water-related recreation; and

23 (B) Is connected to an electric power source in any way; and

24 (2) "Marina" means a dock or basin that:

25 (A) Provides moorings for motorboats and offers supply, repair,
26 or other services for remuneration; and

27 (B) Is connected to an electric power source in any way.

28
29 27-101-803. Minimum electrical standards.

30 The owner and operator of a boat dock or marina in the state shall meet
31 the following requirements to prevent shock, electrocution, or injury to
32 users of the facility and swimmers in the surrounding area:

33 (1) Install and maintain electrical wiring in accordance with
34 the National Fire Protection Association Standards for Marinas and Boatyards
35 and the National Electric Code; and

36 (2) Connect all boat dock and marina electrical wiring circuits

1 through ground fault circuit interrupters so that every electrical circuit is
2 protected by a ground fault circuit interrupter.

3
4 27-101-804. Penalty.

5 (a)(1)(A) For a first offense under § 27-101-803 that does not result
6 in the injury or death of a person, a person shall be issued a warning
7 citation with no court appearance and no penalty.

8 (B) A record of each warning citation issued shall be
9 maintained.

10 (2) A person who pleads guilty or nolo contendere to or is found
11 guilty of a violation of § 27-101-803 for a second or subsequent offense that
12 does not result in the injury or death of a person is guilty of a violation
13 and shall be fined fifty dollars (\$50.00).

14 (b) A person who pleads guilty or nolo contendere to or is found
15 guilty of a violation of § 27-101-803 that results in the injury of a person
16 is guilty of a Class C misdemeanor.

17 (c) A person who pleads guilty or nolo contendere to or is found
18 guilty of a violation of § 27-101-803 that results in the death of a person
19 is guilty of a Class B misdemeanor.

20
21 27-101-805. Admissibility in civil matters.

22 The violation of § 27-101-803 is admissible in a civil action against
23 the owner or operator of a boat dock or marina if the violation results in
24 bodily injury to or the death of a person.