

FIRST REGULAR SESSION

SENATE BILL NO. 231

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time January 13, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1207S.011

AN ACT

To repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

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

Section A. Section 306.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.100, to read as follows:

306.100. 1. For the purpose of this section, vessels shall be divided into four classes as follows:

- (1) Class A, less than sixteen feet in length;
- (2) Class 1, at least sixteen and less than twenty-six feet in length;
- (3) Class 2, at least twenty-six and less than forty feet in length;
- (4) Class 3, forty feet and over.

2. All vessels shall display from sunset to sunrise the following lights when under way, and during such time no other lights, continuous spotlights or docking lights, or other nonprescribed lights shall be exhibited:

- (1) Vessels of classes A and 1:
 - (a) A bright white light aft to show all around the horizon;
 - (b) A combined light in the forepart of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on their respective sides;
- (2) Vessels of classes 2 and 3:
 - (a) A bright white light in the forepart of the vessel as near the stem as practicable, so constructed as to show the unbroken light over an arc of the horizon of twenty points (225 degrees) of the compass, so fixed as to throw the light ten points (112 1/2 degrees) on each side of the vessel; namely, from right

21 ahead to two points (22 1/2 degrees) abaft the beam on either side;

22 (b) A bright white light aft to show all around the horizon and higher
23 than the white light forward;

24 (c) On the starboard side a green light so constructed as to show an
25 unbroken light over an arc of the horizon of ten points (112 1/2 degrees) of the
26 compass, so fixed as to throw the light from right ahead to two points (22 1/2
27 degrees) abaft the beam on the starboard side; on the port side a red light so
28 constructed as to show an unbroken light over an arc of the horizon of ten points
29 (112 1/2 degrees) of the compass, so fixed as to throw the light from right ahead
30 to two points (22 1/2 degrees) abaft the beam on the portside. The side lights
31 shall be fitted with inboard screens so set as to prevent these lights from being
32 seen across the bow;

33 (3) Vessels of classes A and 1 when propelled by sail alone shall exhibit
34 the combined light prescribed by this section and a twelve point (135 degree)
35 white light aft. Vessels of classes 2 and 3, when so propelled, shall exhibit the
36 colored side lights, suitably screened, prescribed by this section and a twelve
37 point (135 degree) white light aft;

38 (4) All vessels between the hours of sunset and sunrise that are not under
39 way, moored at permanent dockage or attached to an immovable object on shore
40 so that they do not extend more than fifty feet from the shore shall display one
41 three-hundred-sixty-degree white light visible three hundred sixty degrees around
42 the horizon;

43 (5) Every white light prescribed by this section shall be of such character
44 as to be visible at a distance of at least two miles. Every colored light prescribed
45 by this section shall be of such character as to be visible at a distance of at least
46 one mile. The word "visible" in this subsection, when applied to lights, shall
47 mean visible on a dark night with clear atmosphere;

48 (6) When propelled by sail and machinery every vessel shall carry the
49 lights required by this section for a motorboat propelled by machinery only.

50 3. Any watercraft not defined as a vessel shall, from sunset to sunrise,
51 carry, ready at hand, a lantern or flashlight showing a white light which shall be
52 exhibited in sufficient time to avert collision.

53 4. Any vessel may carry and exhibit the lights required by the federal
54 regulations for preventing collisions at sea, in lieu of the lights required by
55 subsection 2 of this section.

56 5. All other watercraft over sixty-five feet in length and those propelled

57 solely by wind effect on the sail shall display lights prescribed by federal
58 regulations.

59 6. Any watercraft used by a person engaged in the act of sport fishing is
60 not required to display any lights required by this section if no other vessel is
61 within the immediate vicinity of the first vessel, the vessel is using an electric
62 trolling motor and the vessel is within fifty feet of the shore.

63 7. Every vessel, except those in class A, shall have on board at least one
64 wearable personal flotation device of type I, II or III for each person on board and
65 each person being towed who is not wearing one. Every such vessel shall also
66 have on board at least one type IV throwable personal flotation device.

67 8. All class A motorboats and all watercraft traveling on the waters of this
68 state shall have on board at least one type I, II, III or IV personal flotation device
69 for each person on board and each person being towed who is not wearing one.

70 9. All lifesaving devices required by subsections 7 and 8 of this section
71 shall be United States Coast Guard approved, in serviceable condition and so
72 placed as to be readily accessible.

73 10. Every vessel which is carrying or using flammable or toxic fluid in any
74 enclosure for any purpose, and which is not an entirely open vessel, shall have
75 an efficient natural or mechanical ventilation system which must be capable of
76 removing resulting gases prior to and during the time the vessel is occupied by
77 any person.

78 11. Motorboats shall carry on board at least the following United States
79 Coast Guard approved fire extinguishers:

80 (1) Every class A and every class 1 motorboat carrying or using gasoline
81 or any other flammable or toxic fluid, one B1 type fire extinguisher;

82 (2) Every class 2 motorboat[, one B2 or two B1 type fire extinguishers;]:

83 **(a) Two B1 type fire extinguishers; or**

84 **(b) One B2 type fire extinguisher; or**

85 **(c) A fixed fire extinguishing system and one B1 type fire**
86 **extinguisher; and**

87 (3) Every class 3 motorboat:

88 (a) Three B1 type fire extinguishers; or

89 (b) One B2 type and one B1 type fire extinguisher; or

90 (c) A fixed fire extinguishing system and one B2 type fire extinguisher; or

91 (d) A fixed fire extinguishing system and two B1 type fire extinguishers.

92 12. All class 1 and 2 motorboats and vessels shall have a sounding device.

93 All class 3 motorboats and vessels shall have at least a sounding device and one
94 bell.

95 13. No person shall operate any watercraft which is not equipped as
96 required by this section.

97 14. A water patrol division officer may direct the operator of any
98 watercraft being operated without sufficient personal flotation devices,
99 fire-fighting devices or in an overloaded or other unsafe condition or manner to
100 take whatever immediate and reasonable steps are necessary for the safety of
101 those aboard when, in the judgment of the officer, such operation creates a
102 hazardous condition. The officer may direct the operator to return the watercraft
103 to the nearest safe mooring and to remain there until the situation creating the
104 hazardous condition is corrected.

105 15. A water patrol division officer may remove any unmanned or
106 unattended watercraft from the water when, in the judgment of the officer, the
107 watercraft creates a hazardous condition.

108 16. Nothing in this section shall prohibit the use of additional specialized
109 lighting used in the act of sport fishing.

Bill ✓

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