

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2010

By: Davis, **Pae**, and **Dollens**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to public health and safety; amending
10 63 O.S. 2021, Section 4207, which relates to lights
11 and other equipment; creating Andy's Law; requiring
12 attachment of certain sticker to certain motorized
13 vessels; requiring the approval and development of
14 certain sticker and literature; allowing for use of
15 certain existing stickers; requiring distribution of
16 certain sticker and literature; describing when
17 Service Oklahoma may stop issuing stickers for
18 certain vessels; setting fee for certain sticker;
19 authorizing the promulgation of rules; and providing
20 an effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 63 O.S. 2021, Section 4207, is
23 amended to read as follows:

24 Section 4207. A. This section shall be known and may be cited
as "Andy's Law".

B. Every vessel in all weathers between the hours from sunset
to sunrise and during periods of restricted visibility shall carry

1 and exhibit the lights prescribed by the United States Coast Guard
2 when under way, including, but not limited to, the following:

3 1. Every power-driven vessel shall carry and exhibit:

4 a. a masthead light forward. A vessel less than twenty
5 (20) meters, or less than sixty-five (65) feet seven
6 and one-half (7 1/2) inches in length need not exhibit
7 this light forward of amidships but shall exhibit it
8 as far forward as practicable, and

9 b. side lights, and

10 c. a stern light;

11 2. Any power-driven vessel of less than twelve (12) meters, or
12 less than thirty-nine (39) feet four and one-half (4 1/2) inches in
13 length may carry and exhibit, in lieu of the lights prescribed in
14 paragraph 1 of this subsection, an all-around white light and side
15 lights;

16 3. Every sailing vessel shall carry and exhibit:

17 a. side lights, and

18 b. a stern light;

19 4. Any sailing vessel of less than twenty (20) meters, or less
20 than sixty-five (65) feet seven and one-half (7 1/2) inches, in
21 length may combine the lights prescribed in paragraph 3 of this
22 subsection within one lantern carried at or near the top of the mast
23 where it can be seen as nearly all-around as possible;

1 5. Any sailing vessel may carry and exhibit, in addition to the
2 lights prescribed in paragraph 3 of this subsection but not in
3 conjunction with any combination lantern as provided in paragraph 4
4 of this subsection, two all-around lights in a vertical line, the
5 upper being red and the lower being green, at or near the top of the
6 mast where they can be seen as nearly all-around as possible;

7 6. Every sailing vessel of less than seven (7) meters, or less
8 than twenty-three (23) feet eleven and one-half (11 1/2) inches in
9 length shall carry and exhibit if practicable, the lights prescribed
10 in paragraph 3 or 4 of this subsection. If such exhibition is not
11 practicable, there shall be carried ready at hand on the vessel a
12 lantern or flashlight showing a white light which shall be exhibited
13 in sufficient time to avert collision;

14 7. Every sailing vessel propelled by a combination of sail and
15 motor shall carry and exhibit the lights of a power-driven vessel
16 prescribed in paragraph 1 or 2 of this subsection;

17 8. Every manually powered vessel may carry and exhibit the
18 lights prescribed in this subsection for sailing vessels. If such
19 lights are not carried and exhibited, there shall be carried ready
20 at hand on the vessel a lantern or flashlight showing a white light
21 which shall be exhibited in sufficient time to avert collision; and

22 9. Every vessel at anchor shall carry and exhibit an all-around
23 white light in such a position where it may best be seen. The deck
24 of an anchored vessel may be illuminated by available auxiliary

1 lights, provided the auxiliary lights do not interfere with the
2 visibility of required lights or impair the safe navigation of other
3 vessels.

4 For purposes of this section, "restricted visibility" shall mean any
5 condition which restricts visibility including but not limited to
6 fog, mist, falling snow, heavy rain or sandstorm.

7 ~~B.~~ C. Every vessel shall be provided with an efficient whistle
8 or other sound-producing mechanical appliance; provided, however, no
9 vessel, except for emergency and law enforcement vessels, shall be
10 equipped with a siren.

11 ~~C.~~ D. Every vessel of eight (8) meters or greater, or twenty-
12 six (26) feet three (3) inches or greater, in length shall be
13 equipped with an efficient bell.

14 ~~D.~~ E. Every vessel shall be required to carry:

15 1. At least one wearable personal flotation device for each
16 person on board so placed as to be readily accessible and of a size
17 suitable to the person who is or will be wearing it; and

18 2. At least one type IV (throwable) personal flotation device
19 on board, so placed as to be readily accessible. This paragraph
20 shall not apply to any vessel under sixteen (16) feet in length.
21 All lifesaving devices shall be in good and serviceable condition.

22 ~~E.~~ F. Every vessel using flammable liquid as fuel shall be
23 equipped with such number, size, and type of United States Coast
24 Guard approved fire extinguisher as prescribed in the rules of the

1 Department of Public Safety. Such extinguisher shall be capable of
2 promptly and effectively extinguishing burning fuel. Fire
3 extinguishers shall be at all times kept in condition for immediate
4 and effective use and shall be so placed and secured to the vessel
5 as to be readily accessible.

6 ~~F.~~ G. The provisions of subsections B, C, and E of this section
7 shall not apply to vessels while competing in any race conducted
8 pursuant to Section 4205 of this title, or, if such vessels are
9 designed and intended solely for racing, while engaged in such
10 navigation as is incidental to the tuning up of vessels and motors
11 for the race.

12 ~~G.~~ H. Every vessel shall have the carburetor or carburetors of
13 every motor therein, except outboard motors, using any liquid as
14 fuel, equipped with a United States Coast Guard or U.L. or S.A.E.
15 approved backfire flame arrestor or other appropriate attachment, as
16 prescribed by the rules of the Department of Public Safety.

17 ~~H.~~ I. Every vessel, except open vessels, using any liquid as
18 fuel shall be provided with such means as may be prescribed by the
19 United States Coast Guard for properly and efficiently ventilating
20 the bilges of the motor and fuel tank compartments so as to remove
21 any explosive or inflammable gases.

22 ~~I.~~ J. No person shall operate or give permission for the
23 operation of a vessel which is not equipped as required by this
24

1 section or modification thereof and as prescribed in the rules of
2 the Department of Public Safety.

3 K. Any motorized vessel, as defined in section 4002 of this
4 title, other than a personal watercraft, as defined by section 4201
5 of this title, that is sold or operated in this state shall be
6 required to have a carbon monoxide warning sticker affixed in plain
7 view to the interior of the vessel. The Department of Public Safety
8 shall develop and approve a carbon monoxide warning sticker and
9 literature on the dangers of carbon monoxide and boating. The
10 Department may approve a carbon monoxide warning sticker that has
11 been approved by the United States Coast Guard for similar uses in
12 other states. A carbon monoxide warning sticker already developed
13 by a vessel manufacturer that is affixed to a vessel satisfies the
14 requirements of this subsection. After development and approval of
15 the sticker, the Department shall transfer the sticker design to
16 Service Oklahoma for printing and distribution. Service Oklahoma
17 and its licensed operators shall provide the stickers along with
18 literature on the dangers of carbon monoxide and boating to vessel
19 owners in annual registration materials and shall include the
20 stickers when an application for a certificate of title is made and
21 the ownership of the vessel is transferred. Stickers may be
22 purchased by vessel owners at any Service Oklahoma location. Once a
23 vessel is stickered, Service Oklahoma shall no longer be required to
24 include the stickers with vessel registration materials or to a new

1 owner if the vessel is resold. The fee charged by Service Oklahoma
2 for the sticker shall be the cost at which the sticker was produced.
3 The Department of Public Safety and Service Oklahoma are authorized
4 to promulgate any rules necessary to effectuate to the provisions of
5 this subsection.

6 SECTION 2. This act shall become effective November 1, 2023.

7
8 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/14/2023 -
9 DO PASS, As Amended and Coauthored.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24