

An Act

ENROLLED SENATE
BILL NO. 160

By: Brown of the Senate

and

Moore of the House

An Act relating to operation of vessels; amending 63 O.S. 2011, Section 4215, which relates to negligent operation and liability; establishing exemption from liability for vessel owners under certain circumstances; making language gender neutral; and declaring an emergency.

SUBJECT: Operation of vessels

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 4215, is amended to read as follows:

Section 4215. A. The owner of a vessel shall be liable for any injury or damage occasioned by the negligent operation of such vessel, whether such negligence consists of a violation of the provisions of the statutes of this state, or the violation of any municipal ordinance, or neglecting to observe such ordinary care and such operation as the rules of the common law require. The owner shall not be liable, however, unless such vessel is being used with his or her express or implied consent. Nothing contained herein shall be construed to relieve any other person from any liability which he or she would otherwise have.

B. The owner of a vessel shall not be liable for any injury or damage occasioned by the negligent operation of the vessel as provided in subsection A of this section if:

1. The owner is engaged in the trade or business of renting or leasing vessels;

2. The owner is in compliance with the Oklahoma Vessel and Motor Registration Act, Section 4001 et seq. of this title;

3. The injury or damage occurred during a period of rental or lease;

4. The owner did not knowingly permit or entrust the vessel to be operated by a reckless or otherwise incompetent operator where the owner knew or should have known that the injury or damage would have occurred; and

5. The owner has:

a. briefed the renter of the vessel on the location of fire extinguishers and life vests when applicable,

b. ensured there are enough life vests of the proper size for every passenger on the boat,

c. presented guidelines to the renter for safely piloting a vessel, and

d. executed a safety check on lighting, gasoline, oil, and bilge water removal systems.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 4th day of May, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2017.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____