~~Indicates Matter Stricken~~

Indicates New Matter

AS PASSED BY THE SENATE

April 6, 2017

**S. 367**

Introduced by Senator Alexander

S. Printed 4/6/17--S.

Read the first time February 7, 2017.

**A** **BILL**

TO AMEND SECTION 50‑21‑870(B)(6) OF THE 1976 CODE, RELATING TO PROVISIONS THAT REGULATE THE OPERATION OF VARIOUS TYPES OF WATERCRAFT, TO INCREASE THE DISTANCE BETWEEN A WATERCRAFT AND ANOTHER OBJECT NEAR WHICH A WATERCRAFT MAY BE OPERATED IN EXCESS OF IDLE SPEED, AND TO PROVIDE THAT CERTAIN WATERCRAFT MAY NOT BE OPERATED UPON THE INTRACOASTAL WATERWAY IN EXCESS OF IDLE SPEED WITHIN FIFTY FEET OF CERTAIN OBJECTS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 50‑21‑870(B) of the 1976 Code is amended to read:

“(B) No person may:

(1)(a) operate, be in possession of, or give permission to operate a personal watercraft or specialty propcraft while upon the waters of this State unless each person aboard the personal watercraft or specialty propcraft is wearing a United States Coast Guard approved personal flotation device, Type I, Type II, Type III, or Type V;

(b) operate, be in possession of, or give permission to operate a Class ‘A’ motor boat while upon the waters of this State unless each person under the age of twelve aboard the Class ‘A’ motor boat is wearing a United States Coast Guard approved personal flotation device, Type I, Type II, Type III, or Type V;

Each personal flotation device must be fastened properly, in good and serviceable condition, and the proper size for the person wearing it;

(2) operate or be in possession of a personal watercraft or specialty propcraft while upon the waters of this State after sunset or before sunrise;

(3) operate or be in possession of a personal watercraft or specialty propcraft while upon the waters of this State unless it is equipped with a self‑circling device or a lanyard‑type engine cutoff switch;

(4) operate or be in possession of while upon the waters of this State a personal watercraft or specialty propcraft which has been equipped by the manufacturer with a lanyard‑type engine cutoff switch unless the lanyard and the switch are operational and unless the lanyard is attached to the operator, the operator's clothing, or a personal flotation device worn by the operator;

(5) operate or be in possession of while upon the waters of this State a personal watercraft or specialty propcraft which has been equipped by the manufacturer with a self‑circling device if the self‑circling device or the engine throttle has been altered in a way that would prohibit the self‑circling device from operating in its intended manner;

(6) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of ~~this State~~ Lake Greenwood, Lake Hartwell, Lake Jocassee, Lake Keowee, Lake Marion, Lake Monticello, Lake Murray, Lake Robinson, Lake Russell, Lake Secession, Lake Thurmond, Lake Wateree, Lake Wylie, Fishing Creek Reservoir, or Parr Reservoir in excess of idle speed within ~~50~~ one hundred feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water~~, or within 100 yards of the Atlantic Ocean coast line~~. The prohibitions contained in this item ~~(6)~~ do not apply to an unoccupied, moored vessel or watercraft;

(7) operate a personal watercraft, specialty propcraft, or vessel while upon all other waters of this State in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water or within one hundred yards of the Atlantic Ocean coast line. The prohibitions contained in this item do not apply to an unoccupied, moored vessel or watercraft;

~~(7)~~(8) chase, harass, molest, worry, or disturb wildlife with a personal watercraft, specialty propcraft, or vessel except while lawfully angling for, hunting, or trapping wildlife;

~~(8)~~(9) tow a water skier or a person on a floating device with a personal watercraft or specialty propcraft unless the watercraft is equipped with a wide‑angled mirror which permits the operator to observe the person being towed or carrying a person other than the operator who is in position to observe the person being towed. No person may tow a water skier or a floating device unless the person being towed is wearing a personal flotation device as provided in item (1). A personal watercraft or specialty propcraft may be used to tow another vessel when rendering assistance;

~~(9)~~(10)(a) operate a personal watercraft, specialty propcraft, or vessel if he is younger than sixteen years of age, unless accompanied by an adult, eighteen years or older, who is not under the influence of alcohol, drugs, or a combination of them. However, a person younger than sixteen years of age may operate a personal watercraft, specialty propcraft, or vessel without being accompanied by an adult if one or more of the following applies:

(i) the person completes a boating safety program as administered by the Department of Natural Resources; or

(ii) the person completes a boating safety program approved by the Department of Natural Resources;

(iii) anyone operating a vessel with less than fifteen horsepower engine will not be required to take the boating safety program.

(b) It is unlawful for a person who has temporary or permanent responsibility for a child to knowingly or wilfully violate item (9) of subsection (B).

(c) The Department of Natural Resources shall promulgate regulations relating to boating safety programs administered by the department or subject to its approval.”

SECTION 2. This act takes effect upon approval by the Governor.

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