**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3279**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wooten, Taylor, Ott, Blackwell, Thayer, Forrest, Oremus, Ballentine, Kirby, Henegan, Williams, Mitchell, Connell, Hager, Yow, Beach, Brewer, Rose, T. Moore, Hyde, M.M. Smith, Davis and Lawson

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Introduced in the House on January 10, 2023

Currently residing in the House

Summary: Boating safety

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 Scrivener's error corrected

 1/10/2023 House Introduced and read first time (House Journal‑page 118)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 118)

 1/12/2023 House Member(s) request name added as sponsor: Ott

 1/18/2023 House Member(s) request name added as sponsor: Blackwell

 2/1/2023 House Member(s) request name added as sponsor: Thayer,
 Forrest, Oremus, Ballentine

 2/2/2023 House Member(s) request name added as sponsor: Kirby

 2/28/2023 House Member(s) request name added as sponsor: Henegan,
 Williams

 3/2/2023 House Member(s) request name added as sponsor:
 Mitchell, Connell, Hager, Yow

 3/7/2023 House Member(s) request name added as sponsor: Beach

 3/8/2023 House Member(s) request name added as sponsor: Brewer, Rose

 4/5/2023 House Member(s) request name added as sponsor: T.
 Moore, Hyde, M.M. Smith, Davis, Lawson

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**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3279_20221208.docx)

A bill

to amend the South Carolina Code of Laws by amending Sections 50‑21‑90 and 50‑21‑870, both relating to boating safety and education, so as to PROHIBIT a person born after June 30, 2007, from operating a personaL watercraft, specialty propcraft, or vessel unless he has completed a boating safety and education course and to provide a penalty, and to remove the limitation on the operation of a personal watercraft, specialty propcraft, or vessel by a person younger than sixteen years of age.

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

SECTION 1. Section 50‑21‑90 of the S.C. Code is amended to read:

 Section 50‑21‑90. The department is hereby authorized to inaugurate a comprehensive boating safety and boating educational program, and to seek the cooperation of boatmen, the federal government and other states (A) No person born after June 30, 2007, may operate a personal watercraft, specialty propcraft, or vessel equipped with an engine with greater than fifteen horsepower upon the waters of this State unless the person completes a boating safety and education program administered or approved by the Department of Natural Resources.

(B) A person required to have completed a boating safety education program pursuant to this section must have a certification of completion on his person or on board the personal watercraft, specialty propcraft, or vessel while operating the personal watercraft, specialty propcraft, or vessel and must provide it and a government-issued photographic identification to any authorized law enforcement officer when requested. A person may provide proof of certification by use of a mobile electronic device.

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

(D) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars but not more than three hundred dollars.

SECTION 2. Section 50‑21‑870(B)(9) of the S.C. Code is amended to read:

 (9)(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.

 (10) wake surf in excess of idle speed within two hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water Reserved.

SECTION 3. This act takes effect upon approval by the Governor.

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