

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 513

Short Title: Regulate Personal Watercraft.

(Public)

Sponsors: Representatives Preston, Culpepper (Cosponsors); Hurley, Redwine, Smith, Tolson, and Wright.

Referred to: Judiciary I.

March 13, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 75A-13.2 reads as rewritten:

"§ 75A-13.2. Personal watercraft.

(a) No person shall operate a personal watercraft on the waters of this State at any time between ~~the hours from one hour after sunset to one hour before~~ and sunrise. For purposes of this section, 'personal watercraft' means a small vessel which uses an outboard motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vehicle.

(a1) No person under 16 years of age shall operate a personal watercraft on the waters of this State, nor shall a person knowingly allow a person under the age of 16 to operate a personal watercraft.

(b) No person shall operate a personal watercraft ~~unless~~ on the waters of this State unless:

- 1 (1) The operator has satisfactorily completed a course of instruction in the
2 safe operation of the watercraft lasting at least one hour in duration, as
3 approved by the Wildlife Resources Commission;
4 (2) ~~each~~ Each person riding on or being towed behind such vessel is
5 wearing a Type I, II, III, or V personal flotation device approved by the
6 United States Coast Guard-Guard;
7 (3) The number of passengers is at or below the maximum number of
8 passengers for which the watercraft was designed by the manufacturer;
9 and
10 (4) In the case of a personal watercraft with a lanyard-type engine cut-off
11 switch, the lanyard is securely attached to the person of the operator.
12 (c) A personal watercraft must at all times be operated in a reasonable and prudent
13 manner. ~~Maneuvers~~ Maneuvers that endanger life, limb, or property, including:
14 (1) Unreasonably or unnecessarily weaving through congested vessel
15 traffic;
16 (2) Jumping the wake of another vessel unreasonably or unnecessarily close
17 to such other vessel or when visibility around such other vessel is
18 obstructed; and
19 (3) Intentionally approaching another vessel in order to swerve at the last
20 possible moment to avoid collision
21 shall constitute reckless operation of a vessel as provided in G.S. 75A-10.
22 (c1) The provisions of G.S. 75A-10(b1) regarding operation of a vessel while
23 intoxicated apply to the operation of personal watercraft as defined in this section.
24 (d) The provisions of this section do not apply to a performer engaged in a
25 professional exhibition or a person or persons engaged in an activity authorized under
26 G.S. 75A-14."
27 Section 2. This act becomes effective December 1, 1997.