By: Phillips   H.B. No. 2622

A BILL TO BE ENTITLED

1   AN ACT

2   relating to boating safety.

3   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4   SECTION 1. Section 31.106(a), Parks and Wildlife Code, is

5   amended to read as follows:

6   (a) No person shall operate a personal watercraft in the

7   following manner or under the following circumstances:

8   (1) unless each person riding on or towed behind the

9   vessel is wearing a U.S. Coast Guard approved Type I, II, III, or V

10   personal flotation device;

11   (2) if the vessel is equipped by the manufacturer with

12   a lanyard type engine cutoff switch, unless such lanyard is

13   attached to the person, clothing, or personal flotation device of

14   the operator as appropriate for the vessel involved;

15   (3) during the period between sunset and sunrise;

16   (4) within 50 feet of any other vessel, person,

17   stationary platform or other object, or shore, except at headway

18   speed;

19   (5) [if the operator is under 16 years of age, unless

20   the operator:

21   [(A) is accompanied by a person at least 18 years

22   of age; or

23   [(B) is at least 13 years of age and has

24   successfully completed a boating safety course prescribed and

1 approved by the department;

2 [(6)] if the personal watercraft is a motorboat,

3 within any area prohibited for operation of a motorboat by state law

4 or local rule or regulation;

5 (6) [(7)] while towing water skis, an aquaplane, a

6 surfboard, a tube, or any other similar device, unless the towing

7 vessel is designed to carry on board a minimum of two persons;

8 (7) [(8)] by jumping the wake of another vessel

9 recklessly or unnecessarily close to that vessel; or

10 (8) [(9)] in a manner that requires the operator to

11 swerve at the last possible moment to avoid collision.

12 SECTION 2. Sections 31.107 and 31.131(b), Parks and

13 Wildlife Code, are repealed.

14 SECTION 3. This Act takes effect September 1, 2005.