

By: Harris

S.B. No. 626

A BILL TO BE ENTITLED

AN ACT

relating to the requirement to complete the boater education course and the deposit of fees from that course.

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

SECTION 1. Section 31.107, Parks and Wildlife Code, is amended to read as follows:

Sec. 31.107. OPERATION OF MOTORBOAT. No person may operate a motorboat of over 10 [~~15~~] horsepower on the public waters of this state unless the person has successfully completed a boater education course as required by Section 31.109 and:

(1) is 16 years of age or older; or [~~+~~]

(2) [~~(1)~~] is at least 13 years of age and is accompanied by a person (18) years of age or older who has successfully completed a boater education course as required by Section 31.109 [~~, or~~

~~(2) is at least 13 years of age and has successfully passed a boating safety course prescribed and approved by the department].~~

SECTION 2. Section 31.109(a), Parks and Wildlife Code, is amended to read as follows:

(a) This section applies only to a person who is [~~+~~

~~(1) born on or after September 1, 1984, and~~

~~(2)]~~ operating on the public water of this state:

(1) [~~(A)~~] a vessel powered by a motor of 10 horsepower

1 or more; ~~[or]~~

2 (2) ~~[(B)]~~ a windblown vessel over 14 feet in length;

3 or

4 (3) a vessel carrying passengers for hire.

5 SECTION 3. Section 31.110, Parks and Wildlife Code, is
6 amended to read as follows:

7 Sec. 31.110. EXEMPTION FROM BOATER EDUCATION COURSE
8 REQUIREMENT. A person is not required to comply with Section 31.109
9 if the person:

10 (1) holds a master's, mate's, or operator's license
11 issued by the United States Coast Guard; or

12 ~~(2) [is supervised by a person who:~~

13 ~~[(A) is otherwise exempt from the requirements of~~
14 ~~Section 31.109 or possesses a boater identification card as~~
15 ~~required by Section 31.109; and~~

16 ~~[(B) is at least 18 years of age;~~

17 ~~[(3) is at least 18 years of age;~~

18 ~~[(4)]~~ is not a resident of this state and has proof
19 that the person has successfully completed a boater education
20 course or equivalency examination in another state that is approved
21 by the department ~~[, or~~

22 ~~[(5) is exempt by rule of the department].~~

23 SECTION 4. Subchapter D, Chapter 31, Parks and Wildlife
24 Code, is amended by adding Section 31.112 to read as follows:

25 Sec. 31.112. FEES. (a) Any fees collected by the
26 department under Section 31.108 shall be deposited in the game,
27 fish, and water safety account established under Section 11.032.

1 (b) Interest that accrues on the account established under
2 Subsection (a) remains in that account.

3 SECTION 5. This Act takes effect September 1, 2007.