

By: Wentworth

S.B. No. 2095

A BILL TO BE ENTITLED

AN ACT

relating to requiring a boater education course for certain operators of vessels.

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

SECTION 1. Sections 31.109(a) and (c), Parks and Wildlife Code, are 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 or more; or

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

(c) The department shall issue a boater identification card to a person who has successfully completed:

(1) a boater education course, including an exit examination, approved by the department; or

(2) a course equivalency examination approved by the department.

SECTION 2. Section 31.110, Parks and Wildlife Code, is amended to read as follows:

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

(1) holds a master's, mate's, or operator's license

1 issued by the United States Coast Guard;

2 (2) is supervised by a person who:

3 (A) is otherwise exempt from the requirements of
4 Section 31.109 or possesses a boater identification card as
5 required by Section 31.109; and

6 (B) is at least 18 years of age; or

7 (3) [~~is at least 18 years of age,~~

8 [~~4~~] is not a resident of this state and has proof
9 that the person has successfully completed a boater education
10 course or equivalency examination in another state that is approved
11 by the department [~~, or~~

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

13 SECTION 3. The Parks and Wildlife Commission shall adopt
14 rules to implement the examination required by Section 31.109,
15 Parks and Wildlife Code, as amended by this Act, not later than
16 January 1, 2010.

17 SECTION 4. This Act takes effect September 1, 2009.