

SENATE AMENDMENTS

2nd Printing

By: Guillen

H.B. No. 550

A BILL TO BE ENTITLED

AN ACT

relating to sound-producing devices on vessels.

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

SECTION 1. Section 31.065, Parks and Wildlife Code, is amended to read as follows:

Sec. 31.065. SOUND-PRODUCING DEVICES. A vessel [~~motorboat~~] must have an efficient whistle or other sound-producing device if one is required by the commandant of the Coast Guard.

SECTION 2. Section 31.073(a), Parks and Wildlife Code, is amended to read as follows:

(a) All canoes, kayaks, punts, rowboats, sailboats, rubber rafts, and other paddle craft when paddled, poled, oared, or windblown are exempt from all safety equipment requirements except each vessel must have the following:

(1) one Coast Guard approved wearable personal flotation device for each person aboard; [~~and~~]

(2) the lights prescribed by the commandant of the Coast Guard for vessels and required under Section 31.064; and

(3) the sound-producing device prescribed by the commandant of the Coast Guard for vessels and required under Section 31.065.

SECTION 3. Section 31.127(a), Parks and Wildlife Code, is amended to read as follows:

(a) A person who violates or fails to comply with any

1 provision of this chapter other than Section 31.073(a)(3), or who
2 violates or fails to comply with a proclamation of the commission
3 entered under this chapter or a city ordinance or order of a
4 commissioners court or a political subdivision of the state made or
5 entered under this chapter, commits an offense that is a Class C
6 Parks and Wildlife Code misdemeanor.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.

ADOPTED

RV 19-11
MAY 23 2017

Atay Spaw
Secretary of the Senate

Campbell

FLOOR AMENDMENT NO. 1

BY: _____

1 Amend H.B. No. 550 (senate committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter D, Chapter 31, Parks and Wildlife
5 Code, is amended by adding Section 31.1071 to read as follows:

6 Sec. 31.1071. OPERATION OF MOTORBOAT WITH EMERGENCY ENGINE
7 CUTOFF SWITCH. (a) In this section, "engine cutoff switch" means
8 an emergency switch installed on a motorboat that:

9 (1) is designed to shut off the engine if:

10 (A) the motorboat operator using a lanyard
11 attachment activates the switch by falling overboard or otherwise
12 moving beyond the length of the lanyard; or

13 (B) the motorboat operator or a passenger using a
14 wireless attachment activates the switch by falling overboard and
15 submerging the man-overboard transmitter; and

16 (2) attaches:

17 (A) physically to the motorboat operator through
18 the use of a lanyard worn by the operator; or

19 (B) wirelessly through the use of a
20 water-activated man-overboard transmitter worn by the motorboat
21 operator or any similarly equipped passenger on the motorboat.

22 (b) A motorboat operator may not operate a motorboat less
23 than 26 feet in length and equipped by the manufacturer with an
24 engine cutoff switch while the engine is running and the motorboat
25 is under way without first verifying that the switch is operational
26 and fully functional and:

27 (1) if using a lanyard attachment, properly attaching
28 the lanyard, as appropriate for the specific motorboat, to the
29 operator's body or to the clothing or personal flotation device

1 being worn by the operator; or

2 (2) if using a wireless attachment, properly attaching

3 to each individual on the motorboat an operational man-overboard

4 transmitter.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB550 by Guillen (Relating to sound-producing devices on vessels.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend a portion of the Parks and Wildlife Code to require all vessels to have a whistle or other sound producing device prescribed by the Coast Guard. The bill exempts this provision from the penalties imposed upon those who fail to comply with other safety equipment requirements.

The bill would also amend the Parks and Wildlife Code relating to the operation of a motorboat under 26 feet long with a manufacturer-installed engine cutoff switch. The bill would require those operating such boats to ensure that the switch is operational and that the attachment or wireless transmitter that engages the cutoff switch is attached or properly functioning.

The Parks and Wildlife Department indicates that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a two-thirds majority vote of the members in both houses; otherwise it would take effect on September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: UP, SZ, MWI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 18, 2017

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB550 by Guillen (Relating to sound-producing devices on vessels.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend a portion of the Parks and Wildlife Code to require all vessels to have a whistle or other sound producing device prescribed by the Coast Guard. The bill exempts this provision from the penalties imposed upon those who fail to comply with other safety equipment requirements.

The bill would take effect immediately upon receiving a two-thirds majority vote of the members in both houses; otherwise it would take effect on September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: UP, SZ, MWI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 24, 2017

TO: Honorable John Frullo, Chair, House Committee on Culture, Recreation & Tourism

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB550 by Guillen (Relating to sound-producing devices on vessels.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend a provision of the Parks and Wildlife Code to require all vessels to have a whistle or other sound producing device prescribed by the Coast Guard.

The bill would take effect immediately upon receiving a two-thirds majority vote of the members in both houses; otherwise it would take effect on September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

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