

House Bill 550
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

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

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

- (1) is designed to shut off the engine if:
 - (A) the motorboat operator using a lanyard attachment activates the switch by falling overboard or otherwise moving beyond the length of the lanyard; or

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

(2) attaches:

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

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

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

(1) if using a lanyard attachment, properly attaching the lanyard, as appropriate for the specific motorboat, to the operator's body or to the clothing or personal flotation device being worn by the operator; or

(2) if using a wireless attachment, properly attaching to each individual on the motorboat an operational man-overboard transmitter. [FA1]

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

SECTION 3. Same as House version.

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

SENATE VERSION (IE)

SECTION 4. Same as House version.

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