H.B. No. 337

AN ACT

relating to the use of emergency engine cutoff switches on motorboats; creating a criminal offense.

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

SECTION 1.  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

(B)  the motorboat operator or a passenger using a wireless attachment activates the switch by falling overboard and submerging a 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 motorboat is under way and moving at greater than headway speed without first verifying that the switch is operational and fully functional and properly attaching the lanyard or wireless attachment, as appropriate for the specific motorboat, to the operator's body or to the clothing or personal flotation device being worn by the operator.

SECTION 2.  Section 31.127, Parks and Wildlife Code, is amended by adding Subsection (g) to read as follows:

(g)  A person who operates a motorboat in violation of Section 31.1071 commits an offense punishable by a fine of not more than $200.

SECTION 3.  This Act takes effect September 1, 2019.

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    President of the Senate Speaker of the House

I certify that H.B. No. 337 was passed by the House on March 26, 2019, by the following vote:  Yeas 115, Nays 31, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 337 on May 22, 2019, by the following vote:  Yeas 115, Nays 26, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 337 was passed by the Senate, with amendments, on May 14, 2019, by the following vote:  Yeas 25, Nays 6.

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Secretary of the Senate

APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                 Date

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               Governor