

House Bill 337
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 engine is running and the motorboat is underway 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.

SENATE VERSION (IE)

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 underway 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. [FA1(1)]

CONFERENCE

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SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. 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. [FA1(2)]

SECTION 2. This Act takes effect September 1, 2019.

SECTION 2. Same as House version.