

ASSEMBLY BILL NO. 73—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DEPARTMENT OF WILDLIFE)

PREFILED DECEMBER 15, 2008

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes various changes to provisions governing
watercraft. (BDR 43-345)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to watercraft; revising the requirements for the
operation of a vessel towing a person; deleting provisions
governing certain equipment required on certain
motorboats; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 Existing law requires a person who operates a boat that is towing a person on
2 water skis or another device to be at least 14 years of age, or at least 12 years of age
3 as long as there is a passenger on the boat who is at least 21 years of age and who is
4 in a position to supervise. The skier must also be observed by another person on the
5 boat. The observer must be at least 12 years of age, or at least 10 years of age as
6 long as there is a passenger on the boat who is at least 21 years of age. (NRS
7 488.570) **Section 3** of this bill provides that a person who operates such a boat must
8 be at least 16 years of age, or at least 14 years of age as long as there is a passenger
9 on the boat who is at least 18 years of age and who is in a position to supervise the
10 operator. **Section 3** also provides that a person who is at least 14 years of age, or at
11 least 12 years of age as long as there is a passenger on the boat who is at least 18
12 years of age, may act as the observer of the person being towed.

13 **Section 4** of this bill repeals a provision which requires certain motorboats to
14 be equipped with an efficient bell or whistle. (NRS 488.198)



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 488.295 is hereby amended to read as follows:
2 488.295 1. The owner of a boat livery shall keep a record of
3 the name and address of the person or persons hiring any vessel
4 which is designed or permitted by him to be operated as a
5 motorboat, the identification number thereof, ~~and~~ the departure
6 date and time, and the expected time of return. The record ~~shall~~
7 **must** be preserved for at least 6 months.

8 2. The owner of a boat livery or his agent or employee shall not
9 permit any motorboat, or any vessel designed or permitted by him to
10 be operated as a motorboat, to depart from his premises unless it has
11 been provided, either by owner or renter, with the equipment
12 required by NRS 488.187, 488.193 ~~[-488.198]~~ and 488.540 and any
13 regulations ~~made~~ **adopted** pursuant thereto.

14 **Sec. 2.** NRS 488.540 is hereby amended to read as follows:
15 488.540 1. The Commission may establish and maintain for
16 the operation of vessels on the waters of this State pilot rules in
17 conformity with the pilot rules contained in ~~the~~ federal navigation
18 laws or the Navigation Rules promulgated by the United States
19 Coast Guard.

20 2. A person shall operate a vessel in this State in conformance
21 with the pilot rules adopted by the Commission.

22 3. The operator of any vessel in this State shall maintain a
23 proper lookout for other vessels, obstructions or hazards. An
24 operator of a vessel who fails to maintain a proper lookout and
25 causes injury to another person or property damage to another vessel
26 is guilty of a misdemeanor.

27 4. A person shall not operate or give permission for the
28 operation of a vessel which is not equipped as required by this
29 section and NRS 488.185, 488.187 ~~[-]~~ **and** 488.193. ~~[and 488.198.]~~

30 **Sec. 3.** NRS 488.570 is hereby amended to read as follows:
31 488.570 1. A person shall not operate a vessel on any waters
32 of this State towing a person on water skis, a surfboard, an inflatable
33 device or any similar device unless the operator:

34 (a) Is at least ~~14~~ **16** years of age; or

35 (b) Is at least ~~12~~ **14** years of age, if a passenger in the vessel is
36 a person who is ~~21~~ **18** years of age or older and is in a position to
37 supervise the operator.

38 2. A person shall not operate a vessel on any waters of this
39 State towing a person on water skis, a surfboard, an inflatable device
40 or any similar device unless there is in the vessel a person, in
41 addition to the operator, who is in a position to observe the person
42 being towed and is:



- 1 (a) At least ~~12~~ 14 years of age; or
2 (b) At least ~~10~~ 12 years of age, if another passenger in the
3 vessel is a person who is ~~12~~ 18 years of age or older.
4 ➤ The observer shall continuously observe the person being towed
5 and shall immediately display so as to be visible from every
6 direction, an international orange flag of at least 12 inches in height
7 by 12 inches in width when the person being towed is getting ready
8 to be towed and has a rope or line extended to him, or ceases to be
9 towed and is in the water awaiting pickup by the vessel.
10 3. When within 100 feet of the person in the water, every
11 vessel, other than the vessel towing him, must be operated at a speed
12 that leaves a flat wake, but in no case may it be operated at a speed
13 greater than 5 nautical miles per hour.
14 4. A person shall not operate a vessel on any waters of this
15 State towing a person on water skis, a surfboard or similar device, or
16 engage in waterskiing, surfboarding or similar activity from sunset
17 to sunrise, as established by the Nautical Almanac Office, United
18 States Naval Observatory, Washington, D.C.
19 5. The provisions of this section do not apply to a performer
20 engaged in a professional exhibition or a person engaged in an
21 activity authorized under NRS 488.305.
22 **Sec. 4.** NRS 488.198 is hereby repealed.
23 **Sec. 5.** This act becomes effective on January 1, 2010.

TEXT OF REPEALED SECTION

488.198 Whistles; bells.

1. Every motorboat of class 1, 2 or 3 must be equipped with an efficient whistle or other mechanical appliance that produces sound.
2. Every motorboat of class 2 or 3 must be equipped with an efficient bell.
3. The provisions of this section do not apply to motorboats while competing in any race conducted pursuant to NRS 488.305 or, if the boats are designed and intended solely for racing, while engaged in navigation incidental to the tuning up of the boats and engines for a race.

