

Amendment No. 138

Assembly Amendment to Assembly Bill No. 73

(BDR 43-345)

Proposed by: Assemblymen Carpenter, Claborn and Mastroluca**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold dashed underlining** is newly added transitory language.

SJH/TMC



Date: 3/31/2009

A.B. No. 73—Makes various changes to provisions governing watercraft.
(BDR 43-345)



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 MiningSUMMARY—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:

Existing law requires a person who operates a boat that is towing a person on water skis or another device to be at least 14 years of age, or at least 12 years of age as long as there is a passenger on the boat who is at least 21 years of age and who is in a position to supervise. The skier must also be observed by another person on the boat. The observer must be at least 12 years of age, or at least 10 years of age as long as there is a passenger on the boat who is at least 21 years of age. (NRS 488.570) ~~Section 3 of this bill removes the authority for a person who is 12 or 13 years of age to operate.~~ ***provides that a person who operates*** such a boat ~~and~~ ***must be at least 16 years of age, or at least 14 years of age as long as there is a passenger on the boat who is at least 18 years of age and who is in a position to supervise the operator. Section 3 also removes the authority for*** ~~provides that~~ a person who is ~~10 or 11~~ ***at least 14 years of age (or), or at least 12 years of age as long as there is a passenger on the boat who is at least 18 years of age, may*** act as the observer of the ~~operator of such a boat.~~ ***person being towed.***

Section 4 of this bill repeals a provision which requires certain motorboats to 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:

Section 1. NRS 488.295 is hereby amended to read as follows:
488.295 1. The owner of a boat livery shall keep a record of the name and address of the person or persons hiring any vessel which is designed or permitted

1 by him to be operated as a motorboat, the identification number thereof, ~~and~~ the
2 departure date and time, and the expected time of return. The record ~~shall~~ **must** be
3 preserved for at least 6 months.

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

9 **Sec. 2.** NRS 488.540 is hereby amended to read as follows:

10 488.540 1. The Commission may establish and maintain for the operation of
11 vessels on the waters of this State pilot rules in conformity with the pilot rules
12 contained in ~~the~~ federal navigation laws or the Navigation Rules promulgated by
13 the United States Coast Guard.

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

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

20 4. A person shall not operate or give permission for the operation of a vessel
21 which is not equipped as required by this section and NRS 488.185, 488.187 ~~and~~ **and**
22 488.193. ~~and 488.198.~~

23 **Sec. 3.** NRS 488.570 is hereby amended to read as follows:

24 488.570 1. A person shall not operate a vessel on any waters of this State
25 towing a person on water skis, a surfboard, an inflatable device or any similar
26 device unless the operator :

27 (a) Is ~~not~~ at least ~~14~~ 16 years of age ~~or~~ ; or

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

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

34 (a) At ~~not~~ least ~~12~~ 14 years of age ~~or~~ ; or

35 (b) At least ~~10~~ 12 years of age, if another passenger in the vessel is a person
36 who is ~~12~~ 18 years of age or older.

37 3. The observer shall continuously observe the person being towed and shall
38 immediately display so as to be visible from every direction, an international
39 orange flag of at least 12 inches in height by 12 inches in width when the person
40 being towed is getting ready to be towed and has a rope or line extended to him, or
41 ceases to be towed and is in the water awaiting pickup by the vessel.

42 3. When within 100 feet of the person in the water, every vessel, other than
43 the vessel towing him, must be operated at a speed that leaves a flat wake, but in no
44 case may it be operated at a speed greater than 5 nautical miles per hour.

45 4. A person shall not operate a vessel on any waters of this State towing a
46 person on water skis, a surfboard or similar device, or engage in waterskiing,
47 surfboarding or similar activity from sunset to sunrise, as established by the
48 Nautical Almanac Office, United States Naval Observatory, Washington, D.C.

49 5. The provisions of this section do not apply to a performer engaged in a
50 professional exhibition or a person engaged in an activity authorized under
51 NRS 488.305.

52 **Sec. 4.** NRS 488.198 is hereby repealed.

53 **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.