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IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
CS FOR HOUSE BILL NO. 109
IN THE LEGISLATURE OF THE STATE OF ALASKA
FIRST LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act providing for the regulation of watercraft in inland waters."

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

Section 1. DECLARATION OF POLICY. It is the policy of this state to promote safety for persons and property in and connected with the use, operation and equipment of vessels in inland waters and to promote uniformity of laws relating thereto.

Sec. 2. DEFINITIONS. As used in this Act, unless the contents clearly requires a different meaning:

(1) "watercraft" means every description of vessel, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(2) "inland waters" means the waters in any lake or navigable river or stream within the territorial limits of this state.

(3) "person" means an individual, partnership, firm, corporation, association, or other entity.

(4) "operate" means to navigate or otherwise use a watercraft.

(5) "department" means the Department of Public Safety.

(6) Words importing the singular include the plural.

(7) Words importing the masculine gender include the feminine.

Sec. 3. PROHIBITED OPERATION. a. No person may operate any

1 watercraft or manipulate any water skis, surfboard, or similar
2 device on the inland waters of this state in a reckless or negli-
3 gent manner so as to endanger the life, or property of any person.

4 b. No person may operate any watercraft or manipulate any
5 water skis, surfboard, or similar device on the inland waters
6 while intoxicated or under the influence of any narcotic drug,
7 barbituate or marijuana.

8 Sec. 4. SAFETY EQUIPMENT. a. Every watercraft operated on
9 the inland waters shall carry and exhibit between sunset and
10 sunrise at least one white light to show all around the horizon.

11 b. Every watercraft operated on inland waters shall carry
12 at least one life preserver, or life belt, or ring buoy, or other
13 device of the sort approved by the United States Coast Guard for
14 each person on board, so placed as to be readily accessible;
15 provided, that every watercraft carrying passengers for hire shall
16 carry, so placed as to be readily accessible, at least one life
17 preserver of the sort approved by the United States Coast Guard
18 for passenger carrying watercraft for each person on board.

19 c. Every motor-driven watercraft shall carry a fire
20 extinguisher capable of promptly and effectually extinguishing
21 burning gasoline.

22 Sec. 5. WATER SKIS AND SURFBOARDS. a. No person may
23 operate a watercraft on the inland waters of this state for towing
24 a person on water skis, or a surfboard, or similar device unless
25 there is in the watercraft a person of 12 years of age or older,
26 in addition to the operator, in a position to observe the progress
27 of the person being towed.

28 d. No person may operate a watercraft on any inland waters
29 towing a person on water skis, a surfboard, or similar device,

1 nor shall any person engage in water skiing, surfboarding, or
2 similar activity at any time between the hours from one hour after
3 sunset to one hour before sunrise.

4 Sec. 6. COLLISIONS, ACCIDENTS AND CASUALTIES. a. It shall
5 be the duty of the operator of a watercraft involved in a colli-
6 sion, accident, or other casualty, so far as he can do so without
7 serious danger to his own watercraft, crew, and passengers (if
8 any) to render to other persons affected by the collision, acci-
9 dent, or other casualty such assistance as may be practicable and
10 as may be necessary in order to save them from or minimize any
11 danger caused by the collision, accident, or other casualty, and
12 also to give his name, address, and identification of his water-
13 craft in writing to any person injured and to the owner of any
14 property damaged in the collision, accident, or other casualty.

15 b. In the case of collision, accident, or other casualty
16 involving a watercraft, the operator thereof, if the collision,
17 accident, or other casualty results in death or injury to a person
18 or damage to property in excess of \$100.00 shall file with the
19 department a full description of the collision, accident or other
20 casualty, including such information as said department may, by
21 regulation, require.

22 Sec. 7. EXEMPTIONS. Watercraft and persons operating water-
23 craft are exempt from the provisions of this Act when participating
24 in any public regattas, races, marine parades, tournaments, or
25 exhibitions on any inland waters of this state.

26 Sec. 8. OWNER'S CIVIL LIABILITY. The owner of a watercraft
27 is liable for any injury or damage occasioned by the negligent
28 operation of his watercraft, whether the negligence consists of a
29 violation of the provisions of the statutes of this state, or

1 neglecting to observe the ordinary care and the operation as the
2 rules of the common law require. The owner is not liable, however
3 unless his watercraft is being used with his express or implied
4 consent. It is presumed that his watercraft is being operated
5 with the knowledge and consent of the owner, if at the time of
6 the injury or damage, it is under the control of his spouse,
7 father, mother, brother, sister, son, daughter, or other immediate
8 member of the owner's family. Nothing contained herein is to be
9 construed to relieve any other person from a liability which he
10 would otherwise have, but nothing contained herein is to be
11 construed to authorize or permit any recovery in excess of injury
12 or damage actually incurred.

13 Sec. 9. ENFORCEMENT. Every peace officer of this state and
14 its subdivisions have the authority to enforce the provisions of
15 this Act and in the exercise thereof have the authority to stop
16 and board any watercraft subject to this Act.

17 Sec. 10. PENALTIES. Any person who violates any provision
18 of this Act is guilty of a misdemeanor and is subject to a fine
19 of not to exceed \$500.00, or imprisonment for not to exceed six
20 months, or both for each violation.

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