

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 569

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO WATER SKIING; AMENDING SECTION 67-7024, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE OBSERVER REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-7024, Idaho Code, be, and the same is hereby amended to read as follows:

67-7024. WATER SKIING. (1) ~~It~~ Except as provided in subsection (2) of this section, it shall be unlawful for the operator of any vessel having in tow or otherwise assisting a person on water skis, aquaplane or a similar contrivance to operate or propel the same upon on or above any waters of the state of Idaho unless that vessel shall be occupied by at least one (1) other competent person who shall act as an observer. This subsection shall not apply to vessels used by representatives of duly constituted water ski schools in the giving of instruction or to vessels used in duly authorized water ski tournaments, competitions, expositions, or trials.

(2) Vessels having in tow or otherwise assisting a person on water skis or a similar contrivance to operate or propel the same on or above any waters of the state of Idaho shall be exempt from the observer requirement provided for in subsection (1) of this section provided that:

~~(2) (a) Vessels~~ The vessel is operating within a regulation legal and permitted slalom course and that are equipped with a rearview wide-angle mirror are exempt from the requirement of having at least one (1) other competent person in the boat acting as an observer as provided in subsection (1) of this section. The size of the mirror must be no less than four (4) inches from bottom to top and across from side to side. It shall be mounted firmly to give the operator a full, complete view beyond the rear of the vessel at all times. is equipped with a mirror consistent with paragraph (b) (i)1. of this subsection; or

(b) (i) The vessel:

1. Is equipped with a large mirror that is at least seventy-eight (78) square inches and is firmly mounted in a position that allows the operator to face the direction of travel and observe the person being towed at all times;

2. Has a platform on the stern of the boat that is as wide as the stern of the boat and allows for a person to safely exit the water and enter the vessel without assistance;

3. Has a propeller that is recessed under the boat; and

4. Is being operated between one (1) hour prior to sunrise and 9:00 a.m. from May 15 through September 10 of each year or at any time of day from September 11 through May 14 of each year;

1 (ii) The person in tow remains in contact with the vessel at all
2 times using a tow rope that has a handle or similar apparatus and
3 utilizes water skis, a water board, a surf board, or a similar con-
4 trivance; and

5 (iii) The person operating the vessel is over eighteen (18) years
6 of age and has a valid drivers license.

7 (3) ~~No~~ Except as provided in subsection (2) of this section, no ves-
8 sel shall have in tow or shall otherwise be assisting a person on water skis,
9 aquaplane or a similar contrivance from the period of one (1) hour after sun-
10 set to one (1) hour prior to sunrise. This subsection shall not apply to ves-
11 sels used in duly authorized water ski tournaments, competitions, exposi-
12 tions, or trials.

13 (4) All vessels having in tow or otherwise assisting a person on water
14 skis, ~~aquaplane~~ or a similar contrivance shall be operated in a careful and
15 prudent manner and at a reasonable distance from persons and property so as
16 not to endanger the life or property of any person or create excessive wake.

17 (5) No person shall operate or manipulate any vessel's attached towrope
18 or other device by which the direction or location of water skis, ~~aquaplane~~
19 or a similar device may be affected or controlled in such a way as to cause
20 the same or any person thereon to collide with or strike against any person or
21 object other than a jumping ramp or in conjunction with skiing over a slalom
22 course.

23 (6) No person may operate or permit to be operated any vessel used for
24 towing water-skiers or devices in which persons or objects are being towed
25 above, in, or on the waters of this state unless it has on board and displays a
26 warning flag that must be international orange or red in color and must be at
27 least one (1) foot square. When any person being towed by the vessel becomes
28 disengaged from the towline and is down in the water, a person in the vessel
29 must immediately hold the warning flag aloft, visible from all sides, as an
30 indicator to other vessels in the area that a person is down in the water. As
31 long as such downed person is in the water, the flag must remain displayed to
32 prevent danger to that person and hazards to passing vessels. Such warning
33 flag must be displayed only under these conditions or when other eminent dan-
34 ger exists.

35 SECTION 2. An emergency existing therefor, which emergency is hereby
36 declared to exist, this act shall be in full force and effect on and after its
37 passage and approval.