

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0703-01
Bill No.: HB 160
Subject: Boats and Watercraft; Water Patrol; Water Resources and Water Districts.
Type: Original
Date: February 4, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Public Defender, Office of Prosecution Services, Department of Natural Resources, Department of Revenue, Department of Public Safety - Missouri Water Patrol** and the **Department of Conservation** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Health and Senior Services (DHSS)** assumes the proposal would not be expected to significantly impact the operations of their agency. If the proposal were to substantially impact DHSS programs, the department would request funding through the legislative process.

Officials from the **Office of State Courts Administrator (CTS)** states that depending on the degree of enforcement, there could be some impact on some courts. CTS assumes however, that after a period of adjustment, there will be substantial compliance and therefore, no long-term workload impact.

<u>FISCAL IMPACT - State Government</u>	FY 2004	FY 2005	FY 2006
	(10 Mo.)		

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal makes a number of changes relating to watercraft regulations. The proposal:

- (1) Creates a definition for "racing shell" and "skiing";
- (2) States that a penalty fee or cancellation may only be imposed upon a person who documented a vessel with the U. S. Coast Guard prior to August 28, 1994, if that person received at least 30 days' notice that his or her vessel is required to be registered;
- (3) Requires all watercraft to have one wearable personal flotation device for each person on board. Watercraft 16 feet or more in length must have at least one throwable personal flotation device on board. Sailboards, racing shells, racing canoes, racing kayaks, and rowing sculls are exempted from the requirement to carry any type of personal flotation device and kayaks are exempted from the requirement to carry a type IV personal flotation device. Mandatory use of personal flotation devices is required in watercraft under 18 feet in length between October 15 and March 15 in certain locations;
- (4) Authorizes the use of a urine sample to test for alcohol or drugs. The current boating law only authorizes the use of blood, breath, or saliva;

DESCRIPTION (continued)

- (5) Clarifies that the displaying of a ski flag is optional when the watercraft is in the process of towing a person engaged in water skiing, tubing, or similar activity;
- (6) Establishes a night-time speed limit of 30 miles per hour on all waters of the state;
- (7) Prohibits vessels from operating within 100 feet of any other vessel, person in the water, dock, or pier at a speed in excess of the slow-no wake speed;
- (8) Authorizes the State Water Patrol to arrest persons on probable cause, anywhere in the state, for a criminal violation under investigation which occurred within the Water Patrol's jurisdiction;
- (9) Deletes the reference to 600 hours of instruction a Water Patrol officer must receive and replaces it with language referring to training pursuant to Chapter 590, RSMo; and
- (10) Increases from \$200 to \$500 the amount of property damage sustained before a person is required to report a watercraft accident.

This legislation would not duplicate any other program and would not require additional capital improvements or rental space. A portion of this proposal (regarding personal flotation devices) is federally mandated (Federal Code of Regulation - Title 46, Subtitle II, Chapter 43, Section 4306) according to the Missouri Water Patrol.

SOURCES OF INFORMATION

Department of Public Safety - Missouri Water Patrol
Department of Natural Resources

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Department of Revenue
Department of Health and Senior Services
Missouri Department of Conservation
Office of the State Public Defender
Office of Prosecution Services
Office of the State Courts Administrator

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 4, 2003