

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO WATERCRAFT; ALLOWING
5 NIGHTTIME OPERATION OF MOTORBOATS OR VESSELS TOWING PERSONS ENGAGED IN
6 WATERSKIING OR RELATED ACTIVITIES; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN
7 APPROPRIATION; AND AMENDING SECTION 23-2-529, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 23-2-529, MCA, is amended to read:

12 **"23-2-529. Waterskis and surfboards.** (1) A person may not operate a motorboat or vessel on any
13 waters of this state for the purpose of towing a person or persons on waterskis, a surfboard, or similar device
14 unless the operator is accompanied by an observer. If the operator is 12 years of age or younger, there must be
15 a second person, at least 18 years of age, in the vessel to observe the person being towed. The fish and
16 wildlife commission shall adopt rules regarding the proper observation and safe towing of persons on waterskis
17 or similar devices, based on density of use of a body of water.

18 (2) (a) Except as provided in subsection (2)(b), A a person may not operate a motorboat or vessel
19 towing a person engaged in waterskiing, surfboarding, or similar activity or towing some other contrivances nor
20 may a person engage in those activities at any time between the hours from sunset to sunrise, ~~except that~~

21 (b) this. The provisions of subsection (2)(a) does-do not apply to:

22 (i) a motorboat or vessel that is towing one or more persons on waterskis, a surfboard, or a similar
23 device that properly illuminates the vessel and the person being towed, as determined by rules adopted by the
24 fish and wildlife commission; or

25 (ii) a performer engaged in a professional exhibition or a person engaged in a regatta or race
26 authorized under this part.

27 (3) All right-of-way rules applying to a towing vessel apply to a person being towed."
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