

CHAPTER 305

NATURAL RESOURCES

SENATE BILL 93-60

BY SENATORS Mutzebaugh, Casey, and Schroeder;
also REPRESENTATIVES Jerke, Chlouber, and Piffner.

AN ACT**CONCERNING THE REGULATION OF SAILBOARDS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 33-13-102, Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

33-13-102. Definitions. (3.7) "SAILBOARD" MEANS A SAIL PROPELLED VESSEL WITH NO FREEBOARD AND EQUIPPED WITH A SWIVEL MOUNTED MAST, NOT SECURED TO A HULL BY GUYS OR STAYS.

SECTION 2. 33-13-103 (1), Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

33-13-103. Numbering of vessels required. (1) It is unlawful for any person to operate or use a vessel on the waters of this state unless such vessel has been numbered and a certificate of the number, referred to in this article as a "registration", has been issued to such vessel by the division. The operator of such vessel shall produce the registration for inspection upon demand of any officer authorized to enforce the provisions of articles 10 to 15 of this title. The following are exempt from the requirements of this subsection (1) and from the vessel registration fee set forth in section 33-12-102:

(f) ANY VESSEL DEFINED AS A SAILBOARD IN SECTION 33-13-102 (3.7) SHALL BE MARKED AS REQUIRED BY SUBSECTION (5) OF THIS SECTION.

SECTION 3. 33-13-103 (5), Colorado Revised Statutes, 1984 Repl. Vol, as amended, is amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

33-13-103. Numbering of vessels required. (5) It is unlawful for any person to operate or use a canoe, kayak, SAILBOARD, or nonmotorized raft which is not required to be registered under subsection (1) of this section on the waters of this state unless it has been marked with the owner's name and current address in a legible, clearly visible, and durable fashion. Any person who violates this subsection (5) is guilty of a ~~misdemeanor~~ PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifteen dollars.

SECTION 4. 33-13-106 (1) (a), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-13-106. Equipment requirements. (1) Every vessel operated on the waters of this state shall at all times have aboard:

(a) One personal flotation device of a type approved by the commandant of the United States coast guard in good and serviceable condition and in a readily accessible place of storage for each person on board; EXCEPT THAT SAILBOARD OPERATORS MAY WEAR A WET SUIT, AS DEFINED BY THE BOARD, IN LIEU OF CARRYING A PERSONAL FLOTATION DEVICE AS REQUIRED BY THIS PARAGRAPH (a);

SECTION 5. Adjustment to appropriation in 1993 long bill. For the implementation of this act, the appropriation made in the general appropriation act for the fiscal year beginning July 1, 1993, to the division of parks and outdoor recreation in the department of natural resources from the parks and outdoor recreation cash fund for operating expenses is decreased by four thousand two hundred six dollars (\$4,206).

SECTION 6. Effective date - applicability. This act shall take effect July 1, 1993, and shall apply to acts committed on or after said date.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993