

RÉSUMÉ DIGEST

ACT 84 (HB 756)

2026 Regular Session

Fontenot

Existing law provides for the careless operation of a watercraft.

New law retains the substance of existing law, but makes the following changes to phrasing and terminology:

- (1) From "yield right-of-way" to "yield and give way" or "give way".
- (2) From "collision" to "boating incident".
- (3) From "non-motor powered" or "non-powered" boat or vessel to "sailing vessel".
- (4) From "sailboats" to "manually propelled vessels".

Prior law required motorboats to maintain a direct course when passing sailboats.

New law repeals existing law and instead requires motorboats to maintain a safe speed and use caution when passing manually propelled vessels.

Prior law prohibited the operation of a mechanically propelled vessel so as to traverse a course around any other vessel underway or any person who is swimming.

New law repeals existing law and instead requires that all mechanically propelled vessels operate at a safe speed when traversing a course near swimmers.

Existing law provides for boat collisions, crashes, and casualties.

New law removes the terms "collision", "crash", and "other casualty" throughout existing law and replaces them with the term "boating incident" or "incident". New law further defines the term "boating incident".

Prior law required notice when property damage in excess of \$500 was inflicted on a recreational vessel in relation to a collision, crash, or other casualty.

New law requires notice when the amount of property damage is \$2,000 or more and when there is a complete loss of the vessel.

Existing law authorizes wildlife agents and peace officers of the state to enforce laws for the operation and equipment of motorboats and vessels.

Prior law authorized agents and officers to stop and board vessels for the following purposes:

- (1) To inquiries to those on board.
- (2) To require appropriate proof of identification of those on board any vessel.
- (3) To examine the certificate of numbers issued or require the appropriate proof of identification of the owner or operator of the vessel.
- (5) To examine any vessel for compliance with existing law.

New law repeals existing law and prohibits wildlife agents and peace officers from performing vessel stops or boarding any vessel for the purpose of enforcing existing law unless the agent or officer has reasonable suspicion that a violation of existing law has occurred or is occurring.

New law requires that any agent or officer who boards a vessel must first identify himself and, while in the performance of his duties, will not be liable for trespass.

Existing law provides for the definition of "personal watercraft".

New law retains existing law and adds vessels that use other machinery as their primary source of motive power to the definition of personal watercraft.

Existing law prohibits a person from operating a personal watercraft unless each person aboard is wearing a type I, type II, type III, or type V personal flotation device approved by the US Coast Guard.

New law repeals existing law and instead requires that every person on board a personal watercraft wear a personal flotation device and prohibits an operator of a personal watercraft from allowing any person who is not wearing a personal flotation device to be on board. Further provides that the use of an inflatable personal flotation device while on board a personal watercraft does not constitute compliance with new law.

Effective August 1, 2026.

(Amends R.S. 34:851.4(A)(2)-(7), (10), and (12), 851.10, 851.29, 855.2, and 855.3(A))