

2025 Regular Session

SENATE BILL NO. 85

BY SENATOR WHEAT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BOATS/BOATING. Provides for parishes to designate no-wake zones on state waterways.
(8/1/25)

AN ACT

To amend and reenact R.S. 34:851.4(A)(17), 851.14.1(A), 851.27(B)(1) and (3) and (C), and R.S. 38:3086.24(F)(2)(a), relative to operation of watercraft; to provide for requirements of careless operation; to provide for emergency closure of waterways; to provide for parish authority, to provide for posting of no-wake zones, to provide for state authority, to provide for enforcement, to provide for powers of the Bayou Lafourche Fresh Water District; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:851.4(A)(17), 851.14.1(A), and 851.27(B)(1) and (3) and (C) are hereby amended and reenacted to read as follows:

§851.4. Careless operation of a watercraft

A. Careless operation of a watercraft is the operation of a watercraft in a careless manner so as to endanger the life, limb, or property of any person, when such operation constitutes a violation of any of the following requirements:

* * *

(17) No person shall, under any circumstances, operate a vessel in excess of an established speed or ~~wake~~ **no-wake** zone.

* * *

§851.14.1. Closure of waterways

A. In an emergency or disaster, as defined in R.S. 29:723, the secretary may close any waterway, other than navigable waters of the United States as set forth in 33 CFR Part 2, to boating access, travel, or use or may restrict the type of use including issuing ~~no-wake~~ **no-wake** zones in any reasonable manner. Such closure or restriction shall be for a period of time not to extend beyond the seventh day following the next meeting of the Wildlife and Fisheries Commission.

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§851.27. Local regulations prohibited; exceptions; speed limits; **no-wake zones**

* * *

B.(1) The governing authority of any parish or municipality may establish and post speed limits **and no-wake zones** on waterways within its jurisdiction with the exception of the Mississippi River, the Mississippi River Gulf Outlet, and the Gulf Intracoastal Waterway. Such speed limits **and no-wake zones**, if established, shall be posted along the affected waterway. **No state law, rule, or regulation establishing, limiting, or prohibiting no-wake zones shall be preempted by a no-wake zone established by the governing authority of a parish or municipality under the provisions of this Section.**

* * *

(3) Speed limits **and no-wake zones** established under this Section shall be enforced by the sheriffs, local law enforcement officers, state police and by permanent status wildlife agents and duly commissioned wildlife agents and officers who shall have the power to make arrests for purposes of such enforcement.

* * *

C. In addition to speed limits **and no-wake zones** established by any governing authority of any parish or municipality under the provisions of this Section, there are hereby established certain "~~no-wake~~" **no-wake** zones where each vessel shall operate at bare steerage speed, the slowest speed the vessel can travel

1 while allowing the operator to maintain directional control of the vessel to produce
 2 the minimum water surface turbulence. The "~~no-wake~~" **no-wake** zones are
 3 established on all waterways within three hundred feet of any of the following
 4 facilities:

5 * * *

6 Section 2. R.S. 38:3086.24(F)(2)(a) is hereby amended and reenacted to read as
 7 follows:

8 §3086.24. Powers

9 * * *

10 F.(1) In order to accomplish the purposes of the district, the board may make
 11 and enforce such rules, regulations, and ordinances it shall deem necessary:

12 * * *

13 (2) Notwithstanding R.S. 34:851.27 or any other provision of law to the
 14 contrary, and upon a declaration of an emergency by the board that the size and
 15 speed of watercraft traveling through the waterway needs to be regulated to protect
 16 the integrity of the banks of the waterway due to low water levels or due to another
 17 event causing the banks to be in peril of erosion or instability, the board may:

18 (a) Implement and enforce a "~~no-wake~~" **no-wake** zone where each watercraft
 19 shall operate at bare steerage speed, the slowest speed the watercraft can travel while
 20 allowing the operator to maintain directional control of the watercraft to produce the
 21 minimum water surface turbulence.

22 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 85 Engrossed

2025 Regular Session

Wheat

Present law provides for establishment of maritime navigation zones wherein watercraft must operate at the slowest speed at which control can be maintained. Further designates such zones with inconsistent terms.

Proposed law retains present law and applies the term "no-wake zone" to such zones

uniformly in statute.

Present law provides that the governing authority of any parish or municipality may establish and post speed limits on waterways with its jurisdiction, except the Mississippi River, the Mississippi River Gulf Outlet, and the Gulf Intracoastal Waterway, and requires such speed limits to be posted on the waterway.

Proposed law retains present law and adds that governing authorities may establish and post no-wake zones on the same waterways. Further provides that establishment of a no-wake zone by a parish or municipal governing authority shall not preempt state law establishing, limiting, or prohibiting no-wake zones.

Effective August 1, 2025.

(Amends R.S. 34:851.4(A)(17), 851.14.1(A), and 851.27(B)(1) and (3) and (C), and R.S. 38:3086.24(F)(2)(a))