

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 291 by Representative Lambert

1 AMENDMENT NO. 1

2 On page 1, line 2, after "(introductory paragraph)" insert ", 98.3(A),"

3 AMENDMENT NO. 2

4 On page 1, line 3, after "34:851.4" insert "and 851.8"

5 AMENDMENT NO. 3

6 On page 1, line 5, delete "provide for operation of a watercraft;" and insert "define and  
7 provide penalties for the careless operation of a watercraft;"

8 AMENDMENT NO. 4

9 On page 1, line 8, after "(introductory paragraph)" insert ", 98.3(A),"

10 AMENDMENT NO. 5

11 On page 1, between lines 18 and 19, insert:

12 "§98.3. Operating a vehicle while under suspension for certain prior offenses  
13 A. It is unlawful to operate a motor vehicle on a public highway, or a  
14 watercraft on a waterway, where the operator's driving privileges have been  
15 suspended under the authority of R.S. 32:414(A)(1), (B)(1) or (2), (D)(1)(a), or 667.  
16 It shall not be a violation of the provisions of this Section when a person operates a  
17 motor vehicle or watercraft to obtain emergency medical care for himself or any  
18 other person.  
19 \* \* \*

20 AMENDMENT NO. 6

21 On page 2, line 9, delete "is" and insert "and 851.8 are"

22 AMENDMENT NO. 7

23 On page 2, delete lines 10 through 20, and insert:

24 "§851.4. Careless operation of a watercraft  
25 Any person who shall operate any watercraft in a careless or heedless manner  
26 so as to be grossly indifferent to the person or property of other persons or at a rate  
27 of speed greater than will permit him in the exercise of reasonable care to bring the  
28 watercraft to a stop within the assured clear distance ahead shall be guilty of the  
29 crime of careless operation, punishable by a fine of not more than three hundred  
30 dollars, or by imprisonment of not more than thirty days, or by both.  
31 A. Careless operation of a watercraft is:  
32 (1) The failure to operate a watercraft in a careful and prudent manner so as  
33 not to endanger the life, limb, or property of any person.  
34 (2) The failure to operate a watercraft in accordance with any of the  
35 following provisions:  
36 (a) Vessels passing head-on shall each keep to their respective right.  
37 (b) A vessel overtaking another vessel may do so on either side, but must  
38 grant the right-of-way to the vessel being overtaken.

- 1           (c) When vessels are on paths that cross, the vessel on the left will yield right-
- 2 of-way to vessel on the right.
- 3           (d) Motorboats shall yield right-of-way to non-motor powered boats, except
- 4 when being overtaken by non-powered vessels, for deep draft vessels that have to
- 5 remain in narrow channels, or when vessel is towing another vessel.
- 6           (e) Motorboats must maintain a direct course when passing sailboats.
- 7           (f) A vessel approaching a landing dock or pier shall yield the right-of-way
- 8 to any departing vessel.
- 9           (g) A vessel departing shoreline or tributary shall yield right-of-way to
- 10 through traffic and vessels approaching shoreline or tributary.
- 11           (h) Vessels will not abruptly change course without first determining that it
- 12 can be safely done without risk of collision with another vessel.
- 13           (i) If an operator fails to fully comprehend the course of an approaching
- 14 vessel he must slow down immediately to a speed barely sufficient for steerageway
- 15 until the other vessel has passed.
- 16           (j) Vessels yielding right-of-way shall reduce speed, stop, reverse, or alter
- 17 course to avoid collision. Vessel with right-of-way shall hold course and speed. If
- 18 there is danger of collision, all vessels will slow down, stop, or reverse until danger
- 19 is averted.
- 20           (k) Vessels will issue warning signals in fog or weather conditions that
- 21 restrict visibility.
- 22           (l) No mechanically propelled vessel shall be operated so as to traverse a
- 23 course around any other vessel underway or any person swimming.
- 24           (m) In a narrow channel, vessels will keep to the right of mid-channel.
- 25           (n) Vessels approaching or passing another vessel shall be operated in such
- 26 manner and at such a rate of speed as will not create a hazardous wash or wake.
- 27           (o) A seaplane on the water shall in general keep clear of all vessels and
- 28 avoid impeding the navigation of all vessels.
- 29           (p) All vessels shall be operated at reasonable speeds for given conditions and
- 30 situations and must be under the complete control of the operator at all times.
- 31           (q) No person shall, under any circumstances, operate a vessel in excess of
- 32 an established speed or wake zone.
- 33           (r) No vessel or person shall obstruct or block a navigation channel, entrance
- 34 to channel, mooring slip, landing dock, launching ramp, pier or tributary.
- 35           (s) Vessels shall keep at least 100 feet clearance of displayed diver's flag.
- 36           (t) Operator shall maintain a proper lookout.
- 37           (u) No one who currently has a Louisiana Operators license that is under a
- 38 suspension may operate a motor vessel.
- 39           B. Whoever commits the crime of careless operation of a watercraft shall be
- 40 fined not more than three hundred dollars, or imprisoned for not more than thirty
- 41 days, or both.

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§851.8. Operating a watercraft during suspension

No person shall operate a watercraft upon the waterways of this state during the period of his suspension or revocation of the privilege of such operation pursuant to R.S. 14:98.3 or R.S. 32:414 or 667."