

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 160

By: Brown of the Senate

and

Moore of the House

COMMITTEE SUBSTITUTE

An Act relating to operation of vessels; amending 63 O.S. 2011, Section 4215, which relates to negligent operation and liability; establishing exemption from liability for vessel owners under certain circumstances; making language gender neutral; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 4215, is amended to read as follows:

Section 4215. A. The owner of a vessel shall be liable for any injury or damage occasioned by the negligent operation of such vessel, whether such negligence consists of a violation of the provisions of the statutes of this state, or the violation of any municipal ordinance, or neglecting to observe such ordinary care and such operation as the rules of the common law require. The owner shall not be liable, however, unless such vessel is being used with

1 his or her express or implied consent. Nothing contained herein
2 shall be construed to relieve any other person from any liability
3 which he or she would otherwise have.

4 B. The owner of a vessel shall not be liable for any injury or
5 damage occasioned by the negligent operation of the vessel as
6 provided in subsection A of this section if:

7 1. The owner is engaged in the trade or business of renting or
8 leasing vessels;

9 2. The owner is in compliance with the Oklahoma Vessel and
10 Motor Registration Act, Section 4001 et seq. of this title;

11 3. The injury or damage occurred during a period of rental or
12 lease; and

13 4. There is no negligence on the part of the owner with respect
14 to the injury or damage where the owner knew or should have known
15 that the injury or damage would have occurred.

16 SECTION 2. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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