

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 160

By: Brown of the Senate

and

Moore of the House

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10 COMMITTEE SUBSTITUTE

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

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

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

20 Section 4215. A. The owner of a vessel shall be liable for any
21 injury or damage occasioned by the negligent operation of such
22 vessel, whether such negligence consists of a violation of the
23 provisions of the statutes of this state, or the violation of any
24 municipal ordinance, or neglecting to observe such ordinary care and
such operation as the rules of the common law require. The owner

1 shall not be liable, however, unless such vessel is being used with
2 his or her express or implied consent. Nothing contained herein
3 shall be construed to relieve any other person from any liability
4 which he or she would otherwise have.

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

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

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

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

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 04/18/2017 - DO PASS, As Amended.
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