

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2010

By: Davis

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2021, Section 4207, which relates to lights
9 and other equipment; creating Andy's Law; requiring
10 attachment of certain sticker to certain motorized
11 vessels; requiring the approval and development of
12 certain sticker and literature; allowing for use of
13 certain existing stickers; requiring distribution of
14 certain sticker and literature; describing when
15 Service Oklahoma may stop issuing stickers for
16 certain vessels; setting fee for certain sticker;
17 authorizing the promulgation of rules; and providing
18 an effective date.

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

20 SECTION 1. AMENDATORY 63 O.S. 2021, Section 4207, is
21 amended to read as follows:

22 Section 4207. A. This section shall be known and may be cited
23 as "Andy's Law".

24 B. Every vessel in all weathers between the hours from sunset
to sunrise and during periods of restricted visibility shall carry
and exhibit the lights prescribed by the United States Coast Guard
when under way, including, but not limited to, the following:

1 1. Every power-driven vessel shall carry and exhibit:

2 a. a masthead light forward. A vessel less than twenty
3 (20) meters, or less than sixty-five (65) feet seven
4 and one-half (7 1/2) inches in length need not exhibit
5 this light forward of amidships but shall exhibit it
6 as far forward as practicable, and

7 b. side lights, and

8 c. a stern light;

9 2. Any power-driven vessel of less than twelve (12) meters, or
10 less than thirty-nine (39) feet four and one-half (4 1/2) inches in
11 length may carry and exhibit, in lieu of the lights prescribed in
12 paragraph 1 of this subsection, an all-around white light and side
13 lights;

14 3. Every sailing vessel shall carry and exhibit:

15 a. side lights, and

16 b. a stern light;

17 4. Any sailing vessel of less than twenty (20) meters, or less
18 than sixty-five (65) feet seven and one-half (7 1/2) inches, in
19 length may combine the lights prescribed in paragraph 3 of this
20 subsection within one lantern carried at or near the top of the mast
21 where it can be seen as nearly all-around as possible;

22 5. Any sailing vessel may carry and exhibit, in addition to the
23 lights prescribed in paragraph 3 of this subsection but not in
24 conjunction with any combination lantern as provided in paragraph 4

1 of this subsection, two all-around lights in a vertical line, the
2 upper being red and the lower being green, at or near the top of the
3 mast where they can be seen as nearly all-around as possible;

4 6. Every sailing vessel of less than seven (7) meters, or less
5 than twenty-three (23) feet eleven and one-half (11 1/2) inches in
6 length shall carry and exhibit if practicable, the lights prescribed
7 in paragraph 3 or 4 of this subsection. If such exhibition is not
8 practicable, there shall be carried ready at hand on the vessel a
9 lantern or flashlight showing a white light which shall be exhibited
10 in sufficient time to avert collision;

11 7. Every sailing vessel propelled by a combination of sail and
12 motor shall carry and exhibit the lights of a power-driven vessel
13 prescribed in paragraph 1 or 2 of this subsection;

14 8. Every manually powered vessel may carry and exhibit the
15 lights prescribed in this subsection for sailing vessels. If such
16 lights are not carried and exhibited, there shall be carried ready
17 at hand on the vessel a lantern or flashlight showing a white light
18 which shall be exhibited in sufficient time to avert collision; and

19 9. Every vessel at anchor shall carry and exhibit an all-around
20 white light in such a position where it may best be seen. The deck
21 of an anchored vessel may be illuminated by available auxiliary
22 lights, provided the auxiliary lights do not interfere with the
23 visibility of required lights or impair the safe navigation of other
24 vessels.

1 For purposes of this section, "restricted visibility" shall mean any
2 condition which restricts visibility including but not limited to
3 fog, mist, falling snow, heavy rain or sandstorm.

4 ~~B.~~ C. Every vessel shall be provided with an efficient whistle
5 or other sound-producing mechanical appliance; provided, however, no
6 vessel, except for emergency and law enforcement vessels, shall be
7 equipped with a siren.

8 ~~C.~~ D. Every vessel of eight (8) meters or greater, or twenty-
9 six (26) feet three (3) inches or greater, in length shall be
10 equipped with an efficient bell.

11 ~~D.~~ E. Every vessel shall be required to carry:

12 1. At least one wearable personal flotation device for each
13 person on board so placed as to be readily accessible and of a size
14 suitable to the person who is or will be wearing it; and

15 2. At least one type IV (throwable) personal flotation device
16 on board, so placed as to be readily accessible. This paragraph
17 shall not apply to any vessel under sixteen (16) feet in length.

18 All lifesaving devices shall be in good and serviceable condition.

19 ~~E.~~ F. Every vessel using flammable liquid as fuel shall be
20 equipped with such number, size, and type of United States Coast
21 Guard approved fire extinguisher as prescribed in the rules of the
22 Department of Public Safety. Such extinguisher shall be capable of
23 promptly and effectively extinguishing burning fuel. Fire
24 extinguishers shall be at all times kept in condition for immediate

1 and effective use and shall be so placed and secured to the vessel
2 as to be readily accessible.

3 ~~F.~~ G. The provisions of subsections B, C, and E of this section
4 shall not apply to vessels while competing in any race conducted
5 pursuant to Section 4205 of this title, or, if such vessels are
6 designed and intended solely for racing, while engaged in such
7 navigation as is incidental to the tuning up of vessels and motors
8 for the race.

9 ~~G.~~ H. Every vessel shall have the carburetor or carburetors of
10 every motor therein, except outboard motors, using any liquid as
11 fuel, equipped with a United States Coast Guard or U.L. or S.A.E.
12 approved backfire flame arrestor or other appropriate attachment, as
13 prescribed by the rules of the Department of Public Safety.

14 ~~H.~~ I. Every vessel, except open vessels, using any liquid as
15 fuel shall be provided with such means as may be prescribed by the
16 United States Coast Guard for properly and efficiently ventilating
17 the bilges of the motor and fuel tank compartments so as to remove
18 any explosive or inflammable gases.

19 ~~I.~~ J. No person shall operate or give permission for the
20 operation of a vessel which is not equipped as required by this
21 section or modification thereof and as prescribed in the rules of
22 the Department of Public Safety.

23 K. Any motorized vessel, as defined in section 4002 of this
24 title, manufactured in 2008 or before, other than a personal

1 watercraft, as defined by section 4201 of this title, that is sold
2 or operated in this state shall be required to have a carbon
3 monoxide warning sticker affixed in plain view to the interior of
4 the vessel. The Department of Public Safety shall develop and
5 approve a carbon monoxide warning sticker and literature on the
6 dangers of carbon monoxide and boating. The Department may approve
7 a carbon monoxide warning sticker that has been approved by the
8 United States Coast Guard for similar uses in other states. A
9 carbon monoxide warning sticker already developed by a vessel
10 manufacturer that is affixed to a vessel satisfies the requirements
11 of this subsection. After development and approval of the sticker,
12 the Department shall transfer the sticker design to Service Oklahoma
13 for printing and distribution. Service Oklahoma and its licensed
14 operators shall provide the stickers along with literature on the
15 dangers of carbon monoxide and boating to vessel owners in annual
16 registration materials and shall include the stickers when an
17 application for a certificate of title is made and the ownership of
18 the vessel is transferred. Stickers may be purchased by vessel
19 owners at any Service Oklahoma location. Once a vessel is
20 stickered, Service Oklahoma shall no longer be required to include
21 the stickers with vessel registration materials or to a new owner if
22 the vessel is resold. The fee charged by Service Oklahoma for the
23 sticker shall be the cost at which the sticker was produced. The
24 Department of Public Safety and Service Oklahoma are authorized to

1 promulgate any rules necessary to effectuate to the provisions of
2 this subsection.

3 SECTION 2. This act shall become effective November 1, 2023.

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