

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

400W0108

SENATE BILL NO. 48

Introduced by: The Committee on Judiciary at the request of the Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the operation of
2 personal watercraft.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 42-8-102 be amended to read as follows:

5 42-8-102. No person may operate a personal watercraft:

- 6 (1) Unless each person aboard is wearing a ~~type I, type II, type III, or type V~~ wearable
7 personal flotation device approved by the United States Coast Guard;
- 8 (2) That is equipped by the manufacturer with a lanyard type engine cutoff without
9 attaching such lanyard to ~~his~~ the person, clothing, or personal flotation device as
10 appropriate for the specific watercraft;
- 11 (3) Between the hours of ~~one-half hour after~~ sunset to ~~one-half hour before~~ sunrise unless
12 the personal watercraft is equipped with navigation lights as required by the
13 Department of Game, Fish and Parks by rules promulgated pursuant to chapter 1-26;
- 14 (4) At greater than a slow-no-wake speed within one hundred fifty feet of any dock,
15 swimmer, swimming raft, or nonmotorized boat. Slow-no-wake is the slowest



1 possible speed necessary to maintain steerage, but in no case greater than five miles
2 per hour;

3 (5) In other than a reasonable and prudent manner; and

4 (6) To chase or harass wildlife, or travel through emergent floating vegetation at greater
5 than slow-no-wake speed.

6 Except in the case of an emergency, no person under the age of fourteen may operate or be
7 permitted to operate a personal watercraft, regardless of horsepower, unless there is a person
8 eighteen years of age or older on board the craft. No owner of a personal watercraft may permit
9 the personal watercraft to be operated by such underage person. The provisions of this section
10 do not apply to a performer engaged in a professional exhibition or a person preparing to
11 participate or participating in an officially-sanctioned regatta, race, marine parade, tournament,
12 or exhibition. A violation of this section is a Class 2 misdemeanor.