An Act

ENROLLED HOUSE
BILL NO. 2010

By: Davis, Pae, Dollens, Townley, Boles, Swope, Hasenback, George, Lowe (Jason), Schreiber, Sims, Alonso-Sandoval, Sterling, and Talley of the House

and

Hall of the Senate

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

SUBJECT: Public health and safety

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

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

Section 4207. A. <u>This section shall be known and may be cited as "Andy's Law".</u>

<u>B.</u> 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. Every power-driven vessel shall carry and exhibit:

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

b. side lights, and

c. a stern light;

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

3. Every sailing vessel shall carry and exhibit:

a. side lights, and

b. a stern light;

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

5. Any sailing vessel may carry and exhibit, in addition to the lights prescribed in paragraph 3 of this subsection but not in conjunction with any combination lantern as provided in paragraph 4 of this subsection, two all-around lights in a vertical line, the upper being red and the lower being green, at or near the top of the mast where they can be seen as nearly all-around as possible;

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

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

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

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

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

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

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

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

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

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

All lifesaving devices shall be in good and serviceable condition.

~~E.~~ F. Every vessel using flammable liquid as fuel shall be equipped with such number, size, and type of United States Coast Guard approved fire extinguisher as prescribed in the rules of the

Department of Public Safety. Such extinguisher shall be capable of promptly and effectively extinguishing burning fuel. Fire extinguishers shall be at all times kept in condition for immediate and effective use and shall be so placed and secured to the vessel as to be readily accessible.

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

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

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

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

K. Any motorized vessel, as defined in Section 4002 of this title, other than a personal watercraft, as defined by Section 4201 of this title, that is sold or operated in this state shall be required to have a carbon monoxide warning sticker affixed in plain view to the interior of the vessel. The Department of Public Safety shall develop and approve a carbon monoxide warning sticker and literature on the dangers of carbon monoxide and boating. The Department may approve a carbon monoxide warning sticker that has been approved by the United States Coast Guard for similar uses in other states. A carbon monoxide warning sticker already developed by a vessel manufacturer that is affixed to a vessel satisfies the requirements of this subsection. After development and approval of the sticker, the Department shall transfer the sticker design to Service Oklahoma for printing and distribution. Service Oklahoma and its licensed operators shall provide the stickers along with

literature on the dangers of carbon monoxide and boating to vessel owners in annual registration materials at no cost and shall include the stickers when an application for a certificate of title is made and the ownership of the vessel is transferred. Once a vessel is stickered, Service Oklahoma shall no longer be required to include the stickers with vessel registration materials or to a new owner if the vessel is resold. The Department of Public Safety and Service Oklahoma are authorized to promulgate any rules necessary to effectuate the provisions of this subsection.

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

Passed the House of Representatives the 10th day of May, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th

day of May, 20 23, at 10:48 o'clock a. M.

By: [signature]

Approved by the Governor of the State of Oklahoma this 15th

day of May, 20 23, at 11:00 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 15th

day of May, 20 23, at 1:53 o'clock p M.

By: [signature]