

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 753
HOUSE BILL 486

AN ACT TO PLACE RESTRICTIONS ON THE USE OF PERSONAL WATERCRAFT SUCH AS JET SKIS AND WATER BIKES, AND TO RESTRICT CERTAIN ACTIVITIES IN WATERS SURROUNDING ELECTRIC GENERATING FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 75A of the General Statutes is amended by adding a new section to read:

"§ 75A-13.2. Personal watercraft.

(a) No person shall operate a personal watercraft on the waters of this State at any time between the hours from one hour after sunset to one hour before sunrise. For purposes of this section, 'personal watercraft' means a small class A-1 or A-2 vessel which uses an outboard motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vehicle.

(b) No person shall operate a personal watercraft unless each person riding on or being towed behind such vessel is wearing a personal flotation device approved by the United States Coast Guard.

(c) A personal watercraft must at all times be operated in a reasonable and prudent manner. Manuevers that endanger life, limb, or property, including:

- (1) Unreasonably or unnecessarily weaving through congested vessel traffic;
- (2) Jumping the wake of another vessel unreasonably or unnecessarily close to such other vessel or when visibility around such other vessel is obstructed; and
- (3) Intentionally approaching another vessel in order to swerve at the last possible moment to avoid collision

shall constitute reckless operation of a vessel as provided in G.S. 75A-10.

(d) The provisions of this section do not apply to a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized under G.S. 75A-14."

Sec. 2. G.S. 75A-2 is amended by adding a new subsection to read:

"(7) 'Electric generating facility' means any plant facilities and equipment for the purposes of producing, generating, transmitting, delivering or furnishing electricity for the production of power."

Sec. 3. G.S. 75A-15 is amended by adding a new subsection to read:

"(e) The Wildlife Resources Commission may adopt rules prohibiting entry or use by vessels or swimmers of waters of the State immediately surrounding impoundment structures and powerhouses associated with electric generating facilities that are found to pose a hazard to water safety. This subsection shall not apply to the Person-Caswell Lake Authority, Carolina Power and Light Company Lake (Hyco)."

Sec. 4. This act becomes effective August 1, 1994, and applies to acts committed on or after that date.

In the General Assembly read three times and ratified this the 15th day of July, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives