

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1297 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/11/05

A Bill

SENATE BILL 435

5 By: Senator T. Smith
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8 **For An Act To Be Entitled**

9 AN ACT TO CLARIFY THAT ALL PERSONS ENGAGED IN
10 WATER SPORT ACTIVITIES SHALL WEAR OR HAVE SECURED
11 ON HIS OR HER BODY A LIFE PRESERVER OR BUOYANT
12 VEST IN GOOD CONDITION AT ALL TIMES WHILE
13 ENGAGING IN WATER SPORT ACTIVITIES; TO DEFINE
14 WATER SPORT ACTIVITIES; AND FOR OTHER PURPOSES.
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16 **Subtitle**

17 TO CLARIFY THAT ALL PERSONS ENGAGED IN
18 WATER SPORT ACTIVITIES SHALL WEAR OR
19 HAVE SECURED ON HIS OR HER BODY A LIFE
20 PRESERVER OR BUOYANT VEST IN GOOD
21 CONDITION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 27-101-103, regarding definitions relating
27 to the regulation of motorboats, vessels, and watercrafts in the state, is
28 amended to add an additional subdivision to read as follows:

29 (13)(A) "Water sport activity" means an activity that involves a
30 person being towed by a motorboat, personal watercraft, or other vessel in
31 waters of this state.

32 (B) "Water sport activity" shall include, but not be
33 limited to, any of the following activities:

34 (i) Water skiing;

35 (ii) Wake boarding;



- 1 (iii) Wake surfing;
- 2 (iv) Water tubing;
- 3 (v) Water sledding; or
- 4 (vi) Barefooting.

5 (C) "Water sport activity" does not include organized
 6 water carnivals, water skiing exhibitions, or other organized water sports
 7 exhibitions.

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9 SECTION 2. Arkansas Code § 27-101-203(a)(2), regarding safety
 10 equipment for watercraft, is amended to read as follows:

11 (2) Each person ~~being towed on water skis, an aquaplane, or a~~
 12 ~~similar device behind any motorboat or motor driven device used for towing~~
 13 ~~persons upon the water~~ being towed in a water sport activity must wear or
 14 have securely upon his or her body a life preserver or buoyant vest of the
 15 types described ~~above~~ in subdivision (a)(1)(A) of this section in good and
 16 serviceable condition at all times while engaging in ~~this~~ the water sport
 17 activity.

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19 /s/ T. Smith

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22 *APPROVED: 3/29/2005*

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