

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.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S2/24/11
A Bill

SENATE BILL 317

5 By: Senator Whitaker
6

7 **For An Act To Be Entitled**

8 AN ACT TO ENSURE THE SAFETY OF BOAT DOCKS AND MARINAS
9 BY ESTABLISHING MINIMUM ELECTRICAL STANDARDS AND
10 *SIGNAGE REQUIREMENTS*; AND FOR OTHER PURPOSES.
11

12
13 **Subtitle**

14 *JESSE'S LAW: TO ENSURE THE SAFETY OF BOAT*
15 *DOCKS AND MARINAS BY ESTABLISHING MINIMUM*
16 *ELECTRICAL STANDARDS AND SIGNAGE*
17 *REQUIREMENTS.*
18

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. NOT TO BE CODIFIED.

23 The General Assembly finds:

24 (1) Arkansas is known for its beautiful and abundant lakes and
25 rivers, which provide a draw for tourism and a boost for our economy;

26 (2) Our lakes and rivers should be a safe place for children and
27 families to enjoy;

28 (3) There have been cases recently where children have died
29 because the water where they were swimming was electrified by the ungrounded
30 and improper connection of electricity to boat docks and marinas;

31 (4) Electricity and water create a deadly combination that can
32 paralyze a swimmer which can result in the swimmer drowning, and children who
33 are swimming are particularly vulnerable to electrocution and shock in the
34 water; and

35 (5) Bringing boat docks and marinas up to the National Fire
36 Protection Association Standards for Marinas and Boatyards and the National



1 Electric Code is necessary for the protection and safety of all of those who
2 enjoy our lakes and rivers for recreation and to protect our tourism
3 industry.

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5 SECTION 2. Arkansas Code Title 27, Chapter 101, is amended to add an
6 additional subchapter to read as follows:

7 Subchapter 8
8 Boat Dock and Marina Safety

9
10 27-101-801. Title.

11 This subchapter shall be known as the "Boat Dock and Marina Safety
12 Law".

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14 27-101-802. Definitions.

15 As used in this subchapter:

16 (1) "Boat dock" means a man-made structure that:

17 (A) Protrudes into a body of water for the purpose of mooring a
18 boat or for other water-related recreation; and

19 (B) Is connected to an electric power source in any way; and

20 (2) "Marina" means a dock or basin that:

21 (A) Provides moorings for motorboats and offers supply, repair,
22 or other services for remuneration; and

23 (B) Is connected to an electric power source in any way.

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25 27-101-803. Minimum electrical standards.

26 The owner and operator of a boat dock or marina in the state shall
27 install and maintain electrical wiring in accordance with the National Fire
28 Protection Association Standards for Marinas and Boatyards and the National
29 Electric Code to prevent shock, electrocution, or injury to users of the
30 facility and swimmers in the surrounding area.

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32 27-101-804. Signage.

33 (a) Each boat dock and marina in the state that is not located on a
34 federal impoundment owned or managed by the United States Army Corps of
35 Engineers shall have signage that warns of electric shock hazards in the
36 waters surrounding the boat dock or marina and the risk of swimming in the

1 area as provided under this section.

2 (b) The signage under this section shall be placed to give adequate
3 notice to persons using the boat dock or marina or swimming near the boat
4 dock or marina of the electric shock hazard risks of the waters around the
5 boat dock or marina.

6 (c) The signage shall state:

7 (1) "ELECTRIC SHOCK HAZARD RISK: SWIM AT YOUR OWN RISK" on one
8 (1) sign; or

9 (2) "WARNING ELECTRIC SHOCK HAZARD" on one (1) sign and have
10 another sign attached that states "SWIM AT YOUR OWN RISK".

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12 27-101-805. Admissibility in civil matters.

13 The violation of this subchapter is admissible in a civil action
14 against the owner or operator of a boat dock or marina if the violation
15 results in bodily injury to or the death of a person.

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17 /s/Whitaker
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