

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 85th General Assembly  
3 Regular Session, 2005

As Engrossed: H3/11/05

# A Bill

SENATE BILL 435

4  
5 By: Senator T. Smith  
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## For An Act To Be Entitled

8  
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.  
15

### Subtitle

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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;

36 (iii) Wake surfing;



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

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

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

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

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18                    /s/ T. Smith

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