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SFA**BILL ANALYSIS**

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House Bill 4060 (as passed by the House)
Sponsor: Representative Mary Ann Middaugh
House Committee: Conservation and Outdoor Recreation
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 3-22-99

CONTENT

The bill would amend Part 801 (Marine Safety) of the Natural Resources and Environmental Protection Act to exempt a vessel operator who was towing a person preparing for a specific water ski tournament from a requirement of the Act; and require the Department of Natural Resources to establish standards for and to certify tournament water ski vessel operators and tournament water skiers.

The Act provides that a person must not operate a vessel on State waters if he or she is towing or otherwise assisting a person on water skis, unless a person capable of communicating to the vessel operator the condition and needs of the person being towed or assisted is on board the vessel and positioned to observe that person.

The bill provides that this requirement would not apply if the following conditions were met: the vessel operator and the person being towed were certified under the bill; towing was conducted so that, on average, no more than one vessel approached within 300 feet of the towing vessel during any five-minute period; and the vessel was equipped with a center mounted tow pylon, a large clear rearview mirror capable of allowing the vessel operator to distinguish hand signals at a distance of 75 feet, and markings that identified the vessel as one that was being operated in conformance with the bill.

The bill would require that the Department of Natural Resources (DNR) adopt standards for water ski tournament boat operation established by the U.S.A. Water Ski in "Trained Boat Driver Program", (April, 1997), and by the American Water Ski Association in "Drivers' Policy Manual". The DNR, however, could promulgate rules providing for alternative standards. In addition, the DNR would have to certify and issue proof of certification to each tournament water ski vessel operator who satisfied the bill's standards.

The bill also would require that the DNR adopt standards for tournament water skiers established by the Michigan Water Ski Association in "Guidelines for Training Permit Eligibility", (Proposed Revision 125 of 1996). The DNR, however, could promulgate rules providing for alternative standards. In addition, the DNR would have to certify and issue certification to each tournament water skier who satisfied the bill's standards, and would have to specify the body or bodies of water upon which each certified water skier could practice.

The Michigan Water Ski Association would have to provide annually to the DNR and the Michigan Sheriffs Association a list of the individuals whom the organization considered qualified for tournament water skiing and the names of up to three bodies of water on which each of those individuals could be authorized to practice for tournament water skiing.

MCL 324.80152

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.