

2021 -- S 0963

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO WATERS AND NAVIGATION -- PERSONAL WATERCRAFT SAFETY  
ACT

Introduced By: Senators Raptakis, Rogers, E Morgan, and Burke

Date Introduced: June 17, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-27-2 of the General Laws in Chapter 46-27 entitled "Personal  
2 Watercraft Safety Act" is hereby amended to read as follows:

3 **46-27-2. Regulation of personal watercraft.**

4 (a) No person shall operate a personal watercraft at any time between the hours from one-  
5 half (1/2) hour after sunset to one-half (1/2) hour before sunrise; provided, that police and fire  
6 department personnel on official duty may operate personal watercraft with proper equipment and  
7 lighting and are exempted from the provisions of this subsection.

8 (b) A personal watercraft must at all times be operated in a reasonable and prudent manner.  
9 Maneuvers which unreasonably or unnecessarily endanger life, limb, or property, including, but  
10 not limited to, weaving through congested vessel traffic, circling a larger vessel unreasonably or  
11 jumping the wake of another vessel unreasonably, constitutes reckless operation of a vessel and are  
12 prohibited.

13 (c) No person under the age of sixteen (16) shall operate a personal watercraft on the waters  
14 of the state unless an adult accompanies him or her or unless he or she has passed a department of  
15 environmental management approved or United States Coast Guard approved safety course.

16 (d) It is unlawful for the owner of any personal watercraft or any person having charge  
17 over or control of a personal watercraft to authorize or knowingly permit the watercraft to be  
18 operated by a person under sixteen (16) years of age in violation of this section unless the provisions

1 of subsection (c) are met.

2 (e) No person shall operate a personal watercraft within two hundred feet (200') of  
3 swimmers, divers, shore, or moored vessels, except at headway speed.

4 (f) Personal watercraft, when launched from shore or returning to shore, must proceed  
5 directly to the area where operation is allowed in a direction as near perpendicular as possible, not  
6 in excess of headway speed.

7 (g) No person shall operate a personal watercraft unless he or she and any passenger is  
8 wearing a personal flotation device which is approved by the United States Coast Guard.

9 (h) No person shall operate any personal watercraft in a reckless manner so as to endanger  
10 the life, limb, or property of another.

11 (i) No person shall operate any personal watercraft unless it is numbered in accordance  
12 with § 46-22-4.

13 (j) A person operating a personal watercraft equipped by the manufacturer with a lanyard-  
14 type engine cutoff switch must attach the lanyard to his or her person, clothing, or personal flotation  
15 device as appropriate for the specific vessel.

16 (k) The towns of Charlestown and Westerly have joint jurisdiction over any waters that  
17 transcend both jurisdictions, may enter into a binding memorandum pursuant to § 46-23-15.1, and  
18 are hereby authorized to provide, by ordinance, regulations controlling the use of personal  
19 watercraft within their jurisdictions. The ordinances may include a ban or limitation on operation  
20 on:

21 (1) Waterbodies which are less than three hundred (300) acres in size, or four hundred  
22 (400) feet in width;

23 (2) Waterbodies upon which a tradition of swimming, shellfishing, fishing, paddle sports,  
24 or small craft rowing or sailing exist;

25 (3) Waterbodies which can be demonstrated to be ecologically sensitive;

26 (4) Waterbodies or portions of them surrounded or bordered by significant concentrations  
27 of residential development;

28 (5) Waterbodies where a history of powerboat regulation already exists; or

29 (6) Waterbodies where navigational considerations due to congestion can be shown to  
30 exist.

31 (l) The department of environmental management shall review and grant final approval of  
32 municipal regulations adopted pursuant to this subsection.

33 (m) The town of Coventry is hereby authorized to provide, by ordinance, regulations  
34 controlling the use of personal watercraft on Tiogue Lake. The ordinances may include a ban or

1 limitation on operation on Tiogue Lake.

2 (n) The towns of South Kingstown, Narragansett, Middletown and North Kingstown are  
3 hereby authorized to provide, by ordinance, regulations controlling the use of personal watercraft  
4 on any or all fresh or inland waters of this town. The ordinances may include a ban or limitation of  
5 personal watercraft on any waters in this town. To the extent that any body of water may transcend  
6 more than one of the towns set forth in this section, each town shall have joint jurisdiction over the  
7 body or bodies of water and may enter into a binding memorandum pursuant to § 46-23-15.1  
8 regarding each town's joint jurisdiction over the body or bodies of water.

9 (o) The town of Narragansett is hereby authorized to provide, by ordinance, regulations  
10 controlling the use of personal watercraft on any or all fresh or inland waters of this town. The  
11 ordinances may include a ban or limitation of personal watercraft on any waters in this town. To  
12 the extent that any body of water may transcend more than one of the towns set forth in this section,  
13 each town shall have joint jurisdiction over the body or bodies of water and may enter into a binding  
14 memorandum pursuant to § 46-23-15.1 regarding each town's joint jurisdiction over the body or  
15 bodies of water.

16 (p) The town of South Kingstown is hereby authorized to provide, by ordinance,  
17 regulations controlling the use of personal water craft on Narrow River and Green Hill Pond. To  
18 the extent that Narrow River transcends the towns of South Kingstown, North Kingstown, and  
19 Narragansett, each town shall have joint jurisdiction over such body of water and may enter into a  
20 binding memorandum pursuant to § 46-23-15.1 regarding each town's joint jurisdiction over such  
21 body of water.

22 [\(q\) The town of West Greenwich is hereby authorized to provide, by ordinance, regulations](#)  
23 [controlling the use of personal watercraft on any or all fresh or inland waters of this town. The](#)  
24 [ordinances may include a ban or limitation of personal watercraft on any waters in this town.](#)

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO WATERS AND NAVIGATION -- PERSONAL WATERCRAFT SAFETY  
ACT

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1           This act would authorize the town of West Greenwich to provide, by ordinance, regulations  
2 controlling the use of personal watercraft on any or all fresh or inland waters of the town. The  
3 ordinances may include a ban or limitation of personal watercraft on any waters in the town.

4           This act would take effect upon passage.

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