

By: Ellington

To: Conservation and
Water Resources

HOUSE BILL NO. 1320
(As Passed the House)

1 AN ACT TO CREATE A NEW CODE SECTION THAT PROHIBITS CERTAIN
2 BOATS FROM BEING OPERATED IN COASTAL PRESERVES; TO CREATE A NEW
3 CODE SECTION THAT RESTRICTS THE OPERATION OF UNMUFFLED AIRBOATS,
4 PROVIDES THAT MUFFLED AIRBOATS CAN ONLY BE OPERATED IN COMMON
5 AREAS AND PROHIBITS CERTAIN BOATS FROM BEING OPERATED IN COASTAL
6 PRESERVES; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. (1) It shall be unlawful for any person to
9 operate airboats, aircraft, personal watercraft, hover craft or
10 marsh buggies on any publicly owned and managed vegetated wetlands
11 inside the coastal preserves.

12 (2) It shall be unlawful for any person to operate an
13 unmuffled airboat producing sounds that can be heard five hundred
14 (500) feet or more from the shore on any of the waters of this
15 state, unless being operated to request emergency assistance or to
16 warn of a hazardous situation.

17 (3) A muffled airboat that is producing sounds that can be
18 heard three hundred (300) feet or more from the shore can only
19 operate in the common areas of this state.

20 (4) It shall be unlawful for any person to operate airboats,
21 aircraft, personal watercraft, hover craft or marsh buggies on any
22 publicly owned and managed vegetated wetlands inside the coastal
23 preserves.

24 (5) As used in this section, the following terms shall have
25 the meanings ascribed in this subsection:

26 (a) "Common areas" mean navigable waters of this state.

27 (b) "Operate" means to navigate or otherwise use a
28 motorboat or vessel.

29 (c) "Personal watercraft" means a vessel having an
30 inboard motor that powers a water jet pump as the primary source
31 of propulsion and is designed to be operated by a person sitting,
32 standing, kneeling on, or being towed behind the vessel.

33 (d) "Waters of this state" mean any waters within the
34 territorial limits of this state and the marginal sea adjacent to
35 this state and the high seas when navigated as a part of a journey
36 or ride to or from the shore of the state; however, "waters of
37 this state" does not mean any private pond or lake which is not
38 used for boat rentals or the charging of fees for fishing therein.

39 (6) A person violating this section is guilty of a
40 misdemeanor and, upon conviction, shall be punished by a fine of
41 not less than One Hundred Dollars (\$100.00) nor more than Five
42 Hundred Dollars (\$500.00).

43 SECTION 2. Section 1 of this act shall be codified in
44 Chapter 27, Title 49, Mississippi Code of 1972.

45 SECTION 3. This act shall take effect and be in force from
46 and after July 1, 2000.