

# State of Wisconsin



2017 Senate Bill 69

Date of enactment: **March 28, 2018**

Date of publication\*: **March 29, 2018**

## 2017 WISCONSIN ACT 163

AN ACT *to renumber and amend* 30.69 (1) (a); *to amend* 30.69 (1) (b), 30.69 (1) (c), 30.77 (3) (a), 30.77 (3) (cm) (intro.), 30.77 (3) (cr) (intro.) and 30.77 (3) (dm) 2g.; and *to create* 30.69 (1) (a) 2., 30.77 (3) (ab) and 30.77 (3) (cr) 4. of the statutes; **relating to:** operating a motorboat towing a person on water skis.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 30.69 (1) (a) of the statutes is renumbered 30.69 (1) (a) (intro.) and amended to read:

30.69 (1) (a) (intro.) Except as provided in par. (b), no person may operate a motorboat towing a person on water skis, aquaplane, or similar device unless there one of the following applies:

1. There is in the ~~boat~~ motorboat a competent person in addition to the operator in a position to observe the progress of the person being towed.

(ag) An observer under par. (a) 1. shall be considered competent if that person can in fact observe the person being towed and relay any signals to the operator. This observer requirement does not apply to motorboats classified as Class A motorboats by the department actually operated by the persons being towed and so constructed as to be incapable of carrying the operator in or on the motorboat.

(am) No person may engage in water skiing, aquaplaning, or similar activity, at any time from sunset to sunrise. This restriction of the hours of water skiing does not prevent restrictions of the hours of water skiing between sunrise and sunset by local ordinances enacted pursuant to s. 30.77 (3).

**SECTION 2.** 30.69 (1) (a) 2. of the statutes is created to read:

30.69 (1) (a) 2. Subject to s. 30.77 (3) (ab), the motorboat is equipped with a mirror that provides the operator with a wide field of vision to the rear.

**SECTION 3.** 30.69 (1) (b) of the statutes is amended to read:

30.69 (1) (b) ~~Paragraph Paragraphs~~ (a) ~~does.~~ (ag), and (am) do not apply to duly authorized water ski tournaments, competitions, exhibitions, or trials therefor, where adequate lighting is provided.

**SECTION 4.** 30.69 (1) (c) of the statutes is amended to read:

30.69 (1) (c) In addition to complying with ~~par. pars.~~ (a), (ag), and (am), no person may operate a personal watercraft that is towing a person who is on water skis, an aquaplane, or similar device unless the personal watercraft is designed to seat at least 3 persons.

**SECTION 5m.** 30.77 (3) (a) of the statutes is amended to read:

30.77 (3) (a) ~~Any~~ Except as provided in par. (ab), any town, village, or city may, in the interest of public health, safety, or welfare, including the public's interest in preserving the state's natural resources, enact ordinances applicable on any waters of this state within its jurisdic-

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

tion if the ordinances are not contrary to or inconsistent with this chapter and if the ordinances relate to the equipment, use, or operation of boats or to any activity regulated by ss. 30.60 to 30.71.

**SECTION 6m.** 30.77 (3) (ab) of the statutes is created to read:

30.77 (3) (ab) Any town, village, or city may enact an ordinance to prohibit a person operating a motorboat towing a person on water skis, aquaplane, or similar device without an observer, as provided in s. 30.69 (1) (a) 1., if all of the following apply:

1. The ordinance would apply to an inland lake within the jurisdiction of the town, village, or city that has a water safety patrol unit, as defined in s. 30.79.

2. The water safety patrol unit identified in subd. 1. biennially performs on the lake not less than 1,500 hours of enforcement or search and rescue activities, as determined by the department.

**SECTION 15m.** 30.77 (3) (cm) (intro.) of the statutes is amended to read:

30.77 (3) (cm) (intro.) In enacting ordinances under par. (a), (ab), (am), or (b) for a given body of water, municipalities and public inland lake protection and

rehabilitation districts shall take into account factors that include all of the following:

**SECTION 16m.** 30.77 (3) (cr) (intro.) of the statutes is amended to read:

30.77 (3) (cr) (intro.) The types of ordinances that may be enacted under par. (a), (ab), (am), or (b) include the following:

**SECTION 17m.** 30.77 (3) (cr) 4. of the statutes is created to read:

30.77 (3) (cr) 4. Restrictions on the operation of a motorboat towing a person on water skis without an observer, as provided in s. 30.69 (1) (a) 1.

**SECTION 18m.** 30.77 (3) (dm) 2g. of the statutes is amended to read:

30.77 (3) (dm) 2g. If a local entity or a boating organization objects to an ordinance enacted under par. (a) or (ab) that applies to a river or stream, or to an ordinance enacted under par. (b), on the grounds that all or a portion of the ordinance is not necessary for public health, safety, welfare, or the public's interest in preserving the state's natural resources, the procedure under subd. 2r. shall apply.

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