

**SUMMARY OF
NC SESSION LAW 1999-447 (HOUSE BILL 1209)
To become effective 1 December 1999
PERSONAL WATERCRAFT OPERATION**

- I For the purposes of this section, “personal watercraft” means a small vessel which uses an outboard or propeller-driven motor, or an inboard motor powering a water jet pump, as it’s primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel**
- II No person shall operate a personal watercraft on the waters of this State at any time between sunset and sunrise.**
- III No person under 16 years of age shall operate a personal watercraft on the waters of this State except as follows:**
- a) A person of at least 12 years of age but under 16 years of age may operate a personal watercraft on the waters of this State if:**
 - 1. The person is accompanied (physically occupying the watercraft) by a person of at least 18 years of age; or**
 - 2. The person has in his or her possession, and produces at the request of any local, State or Federal law enforcement officer, identification showing proof of age plus a certification card or other proof showing that the person has satisfactorily completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).**
- IV No person shall operate a personal watercraft nor shall the owner of a personal watercraft knowingly allow another person to operate that personal watercraft on the waters of this state, unless:**
- a) Each person riding on or being towed behind is wearing a properly fitted type I, type II, type III, or type V personal flotation device which is Coast Guard approved. Inflatable PFDs do not satisfy this requirement.**
 - b) In the case of a personal watercraft, equipped by the manufacturer with a lanyard-type engine cut-off switch, the lanyard must be securely attached to the person, clothing, or PFD of the operator while underway.**
- V No person shall operate a personal watercraft towing another person unless:**
- a) The watercraft has on board, in addition to the operator, an observer who shall monitor the progress of the person or persons being towed; or**
 - b) The personal watercraft is equipped with a rearview mirror; and**
 - c) The total number of persons on board and being towed does not exceed the the number of passengers specified by the manufacturer as the maximum safe load for the vessel.**

VI A personal watercraft must at all times be operated in a reasonable and prudent manner. Maneuvers that endanger life, limb, or property shall constitute reckless operation of a vessel as provided in G.S. 75A-10 and include:

- **Unreasonably or unnecessarily weaving through congested vessel traffic;**
- **Jumping the wake of another vessel within 100 feet of such other vessel or when visibility around such other vessel is obstructed;**
- **Intentionally approaching another vessel in order to swerve at the last possible moment to avoid collision;**
- **Operating at a greater than no-wake speed within 100 feet of an anchored or moored vessel, the shoreline, a dock, pier, swim float, marked swimming area, swimmers, surfers, persons engaged in angling, or any manually operated propelled vessel;**
- **Operating contrary to the “Rules of the road” or following too closely to another vessel, including another personal watercraft. For the purposes of this subdivision, “following too closely” means proceeding in the same direction and operating at a speed in excess of 10 miles per hour when approaching within 100 feet to the rear or 50 feet to the side of another vessel that is underway unless that vessel is operating in a narrow channel, in which case a personal watercraft may operate at the speed and flow of other vessel traffic.**

VII Nothing in this section prohibits units of local government, marine commissions, or local wake authorities from regulating personal watercraft provided that the regulations are more restrictive than the provisions of this section or regulate aspects of personal watercraft operation that are not covered by this section. Whenever a unit of local government, marine commissions, or local wake authority regulates personal watercraft pursuant to this subsection, it shall conspicuously post signs that are reasonably calculated to provide notice to the personal watercraft users of the stricter regulations.