

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2171**

**2015 Carryover**

(BY DELEGATE RODIGHIERO)

[Introduced January 13, 2016; referred to the  
Committee on Agriculture and Natural Resources  
then the Judiciary.]

1 A BILL to amend and reenact §20-7-22 of the Code of West Virginia, 1931, as amended, relating  
 2 to rules governing the operation of motorboats on lakes; authorizing the use of motors  
 3 exceeding nine horsepower; and providing the conditions that must be met.

*Be it enacted by the Legislature of West Virginia:*

1 That §20-7-22 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.**

**§20-7-22. General rules and regulations for motorboating; special rules.**

1 The director ~~is hereby authorized and empowered to~~ may prescribe and ~~to~~ enforce:

2 (a) General rules ~~and regulations~~ to be observed in the operation or navigation of  
 3 motorboats upon, over or through the waters of this state which he ~~or she shall deem~~ determines  
 4 necessary for the public health or safety of persons or property on or in such waters, or for the  
 5 preservation of all forms of useful aquatic life, particularly as to speed, running, lights, signals,  
 6 courses, channels, rights-of-way, and the disposal of oil, gas, gasoline or other wastes from such  
 7 boats;

8 (b) Special rules ~~and regulations~~ for such particular, artificial or natural areas of water, for  
 9 further limiting, restricting or prohibiting the operation or navigation of motorboats thereon to  
 10 protect the public health or to protect and preserve useful aquatic life.

11 (c) Notwithstanding any provision of this chapter, rule or local rule to the contrary, the  
 12 director shall prescribe rules permitting the use of motors on motorboats that are larger than nine  
 13 horsepower to be used on lakes in the state, if they are otherwise operating according to  
 14 navigation rules, including operating at a slow or no-wake speed within one hundred feet of an  
 15 anchored or moored vessel, shoreline, dock, pier, swim float, marked swim areas, swimmers,  
 16 surfers, persons engaged in angling, any manually powered vessel or personal watercraft.

NOTE: The purpose of this bill is to authorize the use of motors exceeding nine horsepower in the operation of motorboats on lakes. The bill provides the conditions that must be met.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.