

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1366
(Representatives Nelson, Bahl, Mock, M. Ruby)
(Senator Weston)

AN ACT to amend and reenact section 20.1-13-10 of the North Dakota Century Code, relating to the wearing of a life preserver while barefoot skiing or surfing; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-13-10 of the North Dakota Century Code is amended and reenacted as follows:

20.1-13-10. Water skis and, surfboard, and barefoot skiing - Penalty.

1. An individual may not engage in barefoot skiing or manipulate any water skis, surfboard, or similar device without wearing a life preserver approved by the department, unless the individual is ~~sixteen~~:
 - a. ~~Sixteen~~ years of age or older and engaged in windsurfing or boardsailing; or
 - b. Engaging or attempting to engage in barefoot skiing or surfing and the individual is wearing a wet suit specifically designed for barefoot skiing or surfing which is in good and serviceable condition and of appropriate size.
2. An individual engaging or attempting to engage in barefoot skiing or surfing under subdivision b of subsection 1, must have on board the towing vessel a life preserver approved by the department.
3. Any time between one hour after sunset to one hour before sunrise, an individual may not operate a vessel on any waters of this state towing an individual engaged in barefoot skiing or on water skis, a surfboard, or similar device, nor engage in barefoot skiing, water skiing, surfboarding, or similar activity.
- ~~3-4.~~ Subsections 1 and ~~23~~ do not apply to a performer engaged in a professional exhibition or an individual engaged in an activity authorized under section 20.1-13-11.
- ~~4-5.~~ An individual may not operate or manipulate any vessel, towrope, or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in a way as to cause the water skis, surfboard, or similar device, or an individual on the device or engaged in barefoot skiing, to collide with or strike against any object or individual.
- ~~5-6.~~ An individual may not operate a vessel on any waters of this state towing an individual engaged in barefoot skiing or on water skis, a surfboard, or similar device unless there is another individual in the towing vessel observing any individual being towed or the vessel is equipped with a mirror at least seventy-eight square inches [198.12 square centimeters] which provides the operator an unobstructed field of vision to the rear. This subsection does not apply to a personal watercraft or to members of any organization regularly staging water ski shows, tournaments, or exhibitions while engaged in the performance of such shows, tournaments, or exhibitions. The department shall adopt rules to allow such organizations to practice in preparation for such events, as prescribed in section 20.1-13-11.
- ~~6-7.~~ An individual who violates this section is guilty of a class 2 noncriminal offense.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1366.

House Vote: Yeas 89 Nays 5 Absent 0

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State