House Bill 121 (AS PASSED HOUSE AND SENATE)
By: Representatives Anderson of the 10th, Powell of the 33rd, McDonald of the 26th, Gunter of the 8th, Yearta of the 152nd, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft generally, so as to provide for restrictions and requirements relative to wakesurfing and wakeboarding in certain instances; to provide for exceptions; to provide for definitions; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for a definition; to provide for the operation of multipurpose off-highway vehicles on certain highways; to provide for registration of such vehicles; to provide for issuance of license plates for multipurpose off-highway vehicles; to provide for an annual licensing fee; to provide for issuance of a certificate of title by the Department of Revenue; to provide for equipment and operating standards for multipurpose off-highway vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:
PART I

SECTION 1-1.

Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft generally, is amended by revising Code Section 52-7-3, relating to definitions, by adding two new paragraphs to read as follows:

"(26.1) 'Wakeboarding' means the activity of:

(A) Being towed on a board with or without foot bindings by a motorboat across the vessel's wake; or
(B) Operating a motorboat in a manner that creates a wake while towing a person on a board with or without foot bindings.

(26.2) 'Wakesurfing' means the activity of:

(A) Surfing a motorboat's wake, regardless of whether the person is being pulled by a tow rope attached to the motorboat that is producing the wake; or
(B) Operating a motorboat in a manner that creates a wake that is capable of being surfed by another person."

SECTION 1-2.

Said article is further amended by adding a new Code section to read as follows:

"52-7-13.1. (a) Except as provided in subsection (b) of this Code section, no person shall engage in wakesurfing or wakeboarding upon waters of this state:

(1) Between sunset and sunrise;
(2) Within 200 feet of any moored vessel; any wharf, dock, pier, piling, or bridge structure or abutment; or any shoreline adjacent to a full-time or part-time residence, public park, public beach, public swimming area, marina, restaurant, or other public use area; or

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(3) When surfing a wake or being towed on a board, without wearing a personal flotation device.

(b) This Code section shall not apply to:

(1) A regatta, boat race, marine parade, tournament, or exhibition for which the commissioner has granted a marine event permit pursuant to Code Section 52-7-19; or

(2) Intracoastal waterways, rivers, or private lakes."