

House Bill 922

By: Representatives Sainz of the 180th, Stephens of the 164th, Ford of the 170th, McDonald III of the 26th, Powell of the 33rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding identification and regulation of motor vehicles and
3 traffic, so as to prohibit local governments from regulating energy sources of motor vehicles
4 and watercraft; to provide for definitions; to amend Chapter 7 of Title 52 of the Official Code
5 of Georgia Annotated, relating to registration, operation, and sale of watercraft, so as to
6 create and establish a purpose for the Georgia Boating Access Task Force; to provide for
7 duties related to ensuring safe and adequate boating access on any waters of this state; to
8 provide for composition and manner of appointment of such task force and compensation
9 for members; to provide for a short title; to provide for related matters; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "Georgia Boater Bill of Rights."

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SECTION 2.

Article 1 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to general provisions regarding identification and regulation of motor vehicles and traffic, is amended by adding a new Code section to read as follows:

"40-1-10.

(a) As used in this Code section, the term:

(1) 'Energy source' means any source of energy used for propulsion, powering, or other functions of a motor vehicle or watercraft. Such term shall include, but shall not be limited to, gasoline, diesel fuel, electricity, hydrogen, and solar power.

(2) 'Motor vehicle' means a self-propelled vehicle designed for use on public highways.

(3) 'Watercraft' means any vessel or craft designed for navigation on water, including, but not limited to, boats and small crafts.

(b) No state agency or local governing body shall restrict the use or sale of a motor vehicle or watercraft based on the energy source used to power the motor vehicle or watercraft."

SECTION 3.

Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft, is amended by adding a new article to read as follows:

"ARTICLE 4

52-7-90.

As used in this article, the term:

(1) 'Commissioner' means the commissioner of natural resources.

(2) 'Department' means the Department of Natural Resources.

(3) 'Task force' means the Georgia Boating Access Task Force established pursuant to Code Section 52-7-91.

38 52-7-91.

39 (a) There is established within the department a Georgia Boating Access Task Force for
40 the purpose of ensuring safe and adequate boating access on any waters of this state. All
41 affected state agencies shall cooperate with the task force in its efforts to meet such
42 objective. This subsection shall not be construed to authorize the task force to perform any
43 function currently performed by an affected state agency.

44 (b) The task force shall:

45 (1) Coordinate with relevant local, state, and federal agencies to provide and enforce
46 boating access safety rules and regulations;

47 (2) Conduct evaluations of existing public boating access points to identify areas with
48 inadequate access and develop recommendations to address these inadequacies; and

49 (3) Identify, mitigate, and suppress threats from aquatic invasive species while
50 preserving boating access on any waters of this state.

51 52-7-92.

52 (a) The task force shall be composed of eight members as follows:

53 (1) The commissioner or his or her designee, who shall serve as the chairperson;

54 (2) One representative from the Association County Commissioners of Georgia, to be
55 appointed by the Governor;

56 (3) One representative from the Department of Transportation, to be appointed by the
57 Governor;

58 (4) One representative from the Georgia Municipality Association, to be appointed by
59 the Governor; and

60 (5) Four industry experts or stakeholders knowledgeable of the subject matter with which
61 the task force is concerned, to be appointed by the Governor.

62 (b) All members of the task force shall serve terms of four years and until his or her
63 successor is appointed. The commissioner shall make appointments to fill the unexpired

64 portion of any term vacated for any reason. In making such appointments, the
65 commissioner shall preserve the composition of the task force as required by this Code
66 section.

67 (c)(1) Members of the task force shall serve without compensation but shall receive the
68 same daily expense allowance as members of the General Assembly receive, as set forth
69 in Code Section 28-1-8, for each day such member is in physical attendance at a panel
70 meeting or hearing, plus either reimbursement for actual transportation costs while
71 traveling by public transportation or the same mileage allowance for use of a personal
72 motor vehicle in connection with such attendance as members of the General Assembly
73 receive.

74 (2) Notwithstanding paragraph (1) of this subsection, no member shall receive such
75 expense allowance or travel reimbursement if he or she is entitled to receive an expense
76 allowance, travel reimbursement, or salary for performance of duties as a state employee.

77 (3) Expense allowances and travel reimbursement shall be paid from moneys
78 appropriated or otherwise available to the task force.

79 52-7-93.

80 The commissioner is authorized to promulgate rules and regulations as necessary to
81 implement and administer the provisions of this article."

82 **SECTION 4.**

83 All laws and parts of laws in conflict with this Act are repealed.