



National Association of State Boating Law Administrators Policy Position on Specific Speed Limits on the Water

Date: September 10, 2007

Committee: Law Enforcement Committee

Background

On September 2, 2006, the State of Oklahoma Lake Patrol of the Oklahoma Highway Patrol investigated a motorboat collision on Lake Texoma, located on the Red River, and is shared with the State of Texas. Five fatalities were the result of two high speed motorboats colliding nearly head-on. As a result of this tragic incident the Oklahoma Boating Law Administrator was tasked with studying the possibility of a set speed limit for motorboats in Oklahoma. A survey was requested from the National Association of State Boating Law Administrators to determine what position other states had taken regarding speed limits for motorboats.

In the Fall of 2006, NASBLA Law Enforcement Committee surveyed the states in an effort to document speed limits set by other states. The survey revealed that few states have laws requiring specific speed limits but rather speed and proximity limits. Most states require no wake, or 5 mph, within certain distances from other boats, marinas, docks, bathing beaches and other occupied areas on or near the water. The distances vary from 300 feet in Louisiana, Ohio, and Tennessee to 50 feet in South Carolina for addressing boat speed. Seventeen States address speed and/or proximity to areas where posted only. While State of Missouri limits boat speed at night to 30 mph, Massachusetts has a speed limit of 45 mph on inland waters and Michigan has a speed limit of 55 mph. Most states follow the speed and proximity criteria laid out in the NASBLA Model Act.

On September 22, 1999 the original Model Act for vessel speed and proximity was adopted by the membership of the National Association of State Boating Law Administrators. In 2005, the NASBLA Law Enforcement Committee approved and recommended the present version of the Model Act as a part of the Association's Model Act Review and Standardization Project. The act was approved by the NASBLA membership on September 21, 2005.

The intent of the revised act was to set slow/no wake speed limits for recreational vessels operating in water within a certain distance of the shoreline, or within a specified distance from other vessels, structures and swimmers. It was noted that the actual application of the act and enforcement of the speed and proximity provisions may vary from state to state depending on the nature of the waterway. Some waterways, because of their size or shape,

may not accommodate the distances. The NASBLA Law Enforcement Committee also conducted lengthy discussions regarding state sovereignty and each states ability to adopt the model act with insertions of distance and speed dependent upon each states individual needs.

National Association of State Boating Law Administrators Policy

NASBLA encourages the states to enact legislation addressing vessel speed and proximity based on the NASBLA Model Act on Speed and Proximity, as approved at its annual meeting September 21, 2005. The Model Act can be found on the NASBLA website for reference.

Policy References

1. NASBLA's website at <http://www.nasbla.org>
2. NASBLA Model Act for Vessel Speed and Proximity, approved September 21, 2005
3. NASBLA Law Enforcement Committee state survey for speed and proximity, November 2006.