

1

Watercraft Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: R. Neil Walter

Senate Sponsor:

2

LONG TITLE

3

General Description:

4

This bill amends provisions related to watercraft, personal flotation devices, and water designations.

5

Highlighted Provisions:

6

This bill:

7

- ▶ amends definitions related to vessels;
- ▶ amends provisions related to requirements to wear or possess a personal flotation device;
- ▶ amends requirements related to the Division of Outdoor Recreation designating waters as flatwater or whitewater; and
- ▶ makes technical changes.

8

Money Appropriated in this Bill:

9

None

10

Other Special Clauses:

11

None

12

Utah Code Sections Affected:

13

AMENDS:

14

73-18-2, as last amended by Laws of Utah 2025, Chapter 336

15

73-18-8, as last amended by Laws of Utah 2022, Chapter 68

16

73-18b-1, as last amended by Laws of Utah 2022, Chapter 68

17

Be it enacted by the Legislature of the state of Utah:

18

Section 1. Section **73-18-2** is amended to read:

19

73-18-2 . Definitions.

20

As used in this chapter:

21

(1) "Anchored" means a vessel that is temporarily attached to the bed or shoreline of a waterbody by any method and the hull of the vessel is not touching the bed or shoreline.

22

(2) "Beached" means that a vessel's hull is resting on the bed or shoreline of a waterbody.

31 (3) "Boat livery" means a person that holds a vessel for renting or leasing.

32 (4) "Carrying passengers for hire" means to transport persons on vessels or to lead persons

33 on vessels for consideration.

34 (5) "Commission" means the Outdoor Adventure Commission.

35 (6) "Consideration" means something of value given or done in exchange for something

36 given or done by another.

37 (7) "Dealer" means any person who is licensed by the appropriate authority to engage in

38 and who is engaged in the business of buying and selling vessels or of manufacturing

39 them for sale.

40 (8) "Derelict vessel":

41 (a) means a vessel that is left, stored, or abandoned upon the waters of this state in a

42 wrecked, junked, or substantially dismantled condition; and

43 (b) includes:

44 (i) a vessel left at a Utah port or marina without consent of the agency or other entity

45 administering the port or marine area; and

46 (ii) a vessel left docked or grounded upon a property without the property owner's

47 consent.

48 (9) "Division" means the Division of Outdoor Recreation.

49 (10) "Moored" means long term, on the water vessel storage in an area designated and

50 properly marked by the division or other applicable managing agency.

51 (11) "Motorboat" means any vessel propelled by machinery, whether or not the machinery

52 is the principal source of propulsion.

53 (12) "Operate" means to navigate, control, or otherwise use a vessel.

54 (13) "Operator" means the person who is in control of a vessel while it is in use.

55 (14) "Outfitting company" means any person who, for consideration:

56 (a) provides equipment to transport persons on all waters of this state; and

57 (b) supervises a person who:

58 (i) operates a vessel to transport passengers; or

59 (ii) leads a person on a vessel.

60 (15)(a) "Owner" means a person, other than a lien holder, holding a proprietary interest

61 in or the title to a vessel.

62 (b) "Owner" includes a person entitled to the use or possession of a vessel subject to an

63 interest by another person, reserved or created by agreement and securing payment or

64 performance of an obligation.

65 (c) "Owner" does not include a lessee under a lease not intended as security.

66 (16)(a) "Personal watercraft" means a motorboat that is:

67 (i) less than 16 feet in length;

68 (ii) propelled by a water jet pump or other machinery as the motorboat's primary
69 source of motive power; and

70 (iii) designed to be operated by a person sitting, standing, or kneeling on the vessel,
71 rather than sitting or standing inside the vessel.

72 (b) "Personal watercraft" includes a water jet device as part of the personal water craft
73 vessel if the water jet device is connected to the personal water craft.

74 (17) "Racing shell" means a long, narrow watercraft:

75 (a) outfitted with long oars and sliding seats; and

76 (b) specifically designed for racing or exercise.

77 (18) "Sailboat" means any vessel having one or more sails and propelled by wind.

78 (19)(a) "Vessel" means [every] a type of watercraft, other than a seaplane on the water,
79 used or capable of being used as a means of transportation on water.

80 (b) "Vessel" does not include:

81 (i) an air mattress; or

82 (ii) an inner tube.

83 (20)(a) "Wakeless speed" means an operating speed at which the vessel does not create
84 or make a wake or white water trailing the vessel.[-This speed is not in excess of five
85 miles per hour.]

86 (b) "Wakeless speed" may not exceed five miles per hour.

87 (21) "Water jet device" means a device with which an individual rides a hydro-powered
88 apparatus above the surface of the water while connected to a personal watercraft or
89 other power source that supplies thrust to the water jet device through a hose connecting
90 the two devices.

91 (22) "Waters of this state" means any waters within the territorial limits of this state.

92 Section 2. Section **73-18-8** is amended to read:

93 **73-18-8 . Safety equipment required to be on board vessels -- Penalties.**

94 (1)(a) Except as provided in Subsection (1)(c), each vessel shall have, for each person on
95 board, one wearable personal flotation device that is approved for the type of use by
96 the commandant of the United States Coast Guard.

97 (b) Each personal flotation device shall be:

98 (i) in serviceable condition;

- (ii) legally marked with the United States Coast Guard approval number; and
- (iii) of an appropriate size for the person for whom it is intended.

(c)(i) Sailboards and racing shells are exempt from the provisions of Subsections (1)(a) and [e] (f).

(ii) The division, after notifying the commission, may exempt certain types of vessels from the provisions of Subsection (1)(a) under certain conditions or upon certain waters.

(d) [The] Subject to Subsection (1)(e), and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may require by rule, after notifying the commission, for personal flotation devices to be worn:

- (i) while a person is on board a certain type of vessel;
- (ii) by a person under a certain age; or
- (iii) on certain waters of the state.

(e)(i) The division may not require a personal flotation device for use:

- (A) on flatwater, as defined in rule as described in Section 73-18b-1;
- (B) in a designated and marked swimming area; or
- (C) in an area within 50 feet of the shore of a body of water other than whitewater designated in rule as described in Section 73-18b-1.

(ii) If a personal flotation device is not required to be worn in a vessel propelled only by human power, the division may not require the individual to have a personal flotation device on board the vessel.

[e] (f) For vessels 16 feet or more in length, there shall also be on board one throwable personal flotation device which is approved for this use by the commandant of the United States Coast Guard.

The operator of a vessel operated between sunset and sunrise shall display lighted navigation lights approved by the division.

If a vessel is not entirely open and it carries or uses any flammable or toxic fluid in any enclosure for any purpose, the vessel shall be equipped with an efficient natural or mechanical ventilation system that is capable of removing resulting gases before and during the time the vessel is occupied by any person.

Each vessel shall have fire extinguishing equipment on board.

Any inboard gasoline engine shall be equipped with a carburetor backfire flame control device.

The division may, after notifying the commission:

133 (a) require additional safety equipment by rule; and
134 (b) adopt rules conforming with the requirements of this section which govern
135 specifications for and the use of safety equipment.

136 (7) A person may not operate or give permission for the operation of a vessel that is not
137 equipped as required by this section or rules promulgated under this section.
138 (8) A violation of this section is an infraction.

139 Section 3. Section **73-18b-1** is amended to read:

140 **73-18b-1 . Water safety rules and regulations -- Adoption.**

141 (1) [The] Subject to Subsection (3), in accordance with Title 63G, Chapter 3, Utah
142 Administrative Rulemaking Act, the Division of Outdoor Recreation, after notifying the
143 Outdoor Adventure Commission, may make rules necessary to promote safety in
144 swimming, scuba diving, and related activities on any waters where public boating is
145 permitted.

146 (2) The Division of Outdoor Recreation may consider recommendations of and cooperate
147 with other state agencies and the owners or operators of those waters.

148 (3)(a) In rules made as described in Subsection (1), the Division of Outdoor Recreation,
149 subject to Subsection (3)(b), shall designate all rivers as flatwater.

150 (b) In rules made as described in Subsection (1), the Division of Outdoor Recreation:
151 (i) shall designate specific portions of a river as whitewater; and
152 (ii) may not designate an entire river system as whitewater.

153 Section 4. **Effective Date.**

154 This bill takes effect on May 6, 2026.