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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



ENROLLED

SENATE BILL NO. 549

(By Senator DITMAR, ET AL)



PASSED APRIL 12, 1997

In Effect FROM Passage

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OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

ENROLLED

Senate Bill No. 549

(BY SENATORS DITTMAR, WOOTON, BALL, BOWMAN, HUNTER,
ROSS, SCHOONOVER, SNYDER, BUCKALEW, DEEM AND SCOTT)

[Passed April 11, 1997; in effect from passage.]

AN ACT to amend and reenact section twenty-three, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to promulgation of rules for motor boating.

Be it enacted by the Legislature of West Virginia:

That section twenty-three, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 7. LAW ENFORCEMENT, MOTOR BOATING, LITTER.

§20-7-23. Local rules.

- 1 (a) The provisions of this article, and of other applicable
- 2 laws of this state, shall govern the operation, equipment,
- 3 numbering and all other matters relating thereto when-

4 ever any vessel shall be operated on the waters of this
5 state, or when any activity regulated by this article shall
6 take place thereon, but nothing in this article shall be
7 construed to prevent the adoption of any ordinance or
8 local law relating to operation and equipment of vessels
9 the provisions of which are identical to the provisions of
10 this article, amendments thereto or rules promulgated
11 thereunder: *Provided*, That such ordinances or local laws
12 shall be operative only so long as to the extent that they
13 continue to be identical to provisions of this article,
14 amendments thereto or rules promulgated thereunder.

15 (b) Any subdivision of this state may, at any time, but
16 only after public notice, make formal application to the
17 director for special rules with reference to the operation of
18 vessels on any waters within its territorial limits and shall
19 set forth therein the reasons which make such special rules
20 necessary or appropriate.

21 (c) The director is hereby authorized to promulgate
22 special rules with reference to the operation of vessels on
23 any waters within the territorial limits of any subdivision
24 of this state.

25 (d) The director shall immediately promulgate an
26 emergency rule pursuant to the provisions of section
27 fifteen, article three, chapter twenty-nine-a of this code
28 providing for the use of electric motors on the waters of
29 Miletree lake in Roane County.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randy Schoonover
.....
Chairman Senate Committee

Nick Fantasia
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Russell E. Brown
.....
Clerk of the Senate

Gregory W. Goss
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Frank
.....
Speaker House of Delegates

The within *is approved* this the *28th*
day of *April*, 1997.

Jeff G. Leachman
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/21/97

Time 11:22am