



GOVERNOR OF MISSOURI

JEFFERSON CITY

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ERIC R. GREITENS
GOVERNOR

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July 14, 2017

TO THE SECRETARY OF THE SENATE
99th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 65 entitled:

AN ACT

To repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

I disapprove of Senate Bill No. 65. My reasons for disapproval are as follows:

Senate Bill No. 65 allows anyone, including children, to ride or sit on the gunwales, decking over the bow, top of the seat back, or decking over the back of a motorboat without adequate guards or railing.

To paint a picture, this bill would allow two children to ride on an open bow of a speedboat traveling in excess of 40 mph on any body of water, including the Lake of the Ozarks.

For almost 50 years, Missouri law has required the public safety measure that this law would overturn. According to data collected by the United States Coast Guard, falls overboard are the leading cause of death on Missouri waterways, and open motorboats—by far—cause the most injuries and deaths. From 2005 to 2016, 57 deaths and 95 injuries attributable to falls overboard occurred on Missouri waterways. Missouri's neighboring states have also put in place this commonsense protection. *See, e.g.*, 625 ILCS 45/5-21; Ark. Code Ann. § 27-101-202; 301 Ky. Admin. Regs. 6:030.

I respect the intentions of the sponsors of Senate Bill No. 65. Like them, I want to make Missouri a safe place for people to enjoy our many waterways and outdoor recreational activities. I also understand that one purpose of this bill may have been to exempt small boats that travel at low

speeds on slow moving float streams from the provisions that prohibit passengers from riding on certain areas of the boat. The final language contained in this bill, however, may have unintended consequences.

Since this legislation passed, I have spoken with members of the Missouri State Highway Patrol responsible for public safety on Missouri's waterways. Last year, they issued more than 900 warnings or citations for the failure to comply with section 306.126, RSMo. The majority of the warnings or citations occurred at the Lake of the Ozarks, which the United States Coast Guard has consistently ranked as one of the most dangerous waterways in the country. Our State's law enforcement officers have expressed serious concerns that removing the common-sense safety measures contained in 306.126, RSMo. would directly lead to more injuries and deaths on Missouri's larger waterways where more boats operate in dangerous water conditions.

The legislature should have had—but did not have—the benefit of the testimony referenced above as this bill moved through the process, and I understand that many legislators were not made aware of these public safety concerns. I appreciate that on certain waterways we may want to revise current law, and I believe that we can do so in a way that enhances individual liberty and personal responsibility while still protecting public safety.

Going forward, I am committed to working with the sponsors of this legislation to achieve our mutual goals of enacting measures that provide common-sense protections for boaters, while at the same time maximizing enjoyment of our beautiful lakes and streams. I cannot, however, add my endorsement to this bill in its current form.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 65 without my approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric R. Greitens", written in a cursive style.

Eric R. Greitens
Governor