

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2678

(SENATE AUTHORS: FRANZEN, Bonoff, Osmek, Latz and Ortman)

DATE	D-PG	OFFICIAL STATUS
03/14/2016	5031	Introduction and first reading Referred to Environment and Energy
03/24/2016	5280a	Comm report: To pass as amended and re-refer to Finance
04/21/2016	5931a	Comm report: To pass as amended
	5937	Second reading
04/26/2016	6469	Special Order
	6469	Third reading Passed

A bill for an act

1.1 relating to natural resources; creating Sophia's Law; requiring marine carbon
 1.2 monoxide detection systems on certain motorboats; requiring safety information
 1.3 on carbon monoxide poisoning from certain motorboats; requiring a report;
 1.4 appropriating money; amending Minnesota Statutes 2014, section 86B.005,
 1.5 by adding subdivisions; proposing coding for new law in Minnesota Statutes,
 1.6 chapter 86B.
 1.7

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2014, section 86B.005, is amended by adding a
 1.10 subdivision to read:

1.11 Subd. 4a. **Enclosed accommodation compartment.** "Enclosed accommodation
 1.12 compartment" means one contiguous space, surrounded by boat structure that contains
 1.13 all of the following:

1.14 (1) designated sleeping accommodations;

1.15 (2) a galley area with sink; and

1.16 (3) a head compartment.

1.17 Sec. 2. Minnesota Statutes 2014, section 86B.005, is amended by adding a subdivision
 1.18 to read:

1.19 Subd. 4b. **Enclosed occupancy compartment.** "Enclosed occupancy compartment"
 1.20 means one contiguous enclosed space surrounded by boat structure that may be occupied
 1.21 by a person.

1.22 Sec. 3. Minnesota Statutes 2014, section 86B.005, is amended by adding a subdivision
 1.23 to read:

2.1 Subd. 8a. **Marine carbon monoxide detection system.** "Marine carbon monoxide
2.2 detection system" means a device or system that meets the requirements of the American
2.3 Boat and Yacht Council Standard A-24, July, 2015, for carbon monoxide detection systems.

2.4 Sec. 4. **[86B.532] CARBON MONOXIDE DETECTION DEVICE**
2.5 **REQUIREMENTS.**

2.6 Subdivision 1. **Requirements.** (a) No motorboat that has an enclosed
2.7 accommodation compartment may be operated on any waters of the state unless the
2.8 motorboat is equipped with a functioning marine carbon monoxide detection system
2.9 installed according to the manufacturer's instructions.

2.10 (b) After the effective date of this section, no new motorboat that has an enclosed
2.11 accommodation compartment may be sold or offered for sale in Minnesota unless the
2.12 motorboat is equipped with a new functioning marine carbon monoxide detection system
2.13 installed according to the manufacturer's instructions.

2.14 Subd. 2. **Boating safety courses.** All state-sponsored boating safety courses and all
2.15 boating safety courses that require state approval by the commissioner must incorporate
2.16 information about the dangers of being overcome by carbon monoxide poisoning while on
2.17 or behind a motorboat and how to prevent that poisoning.

2.18 Subd. 3. **Carbon monoxide poisoning warning labels.** (a) No gasoline-powered
2.19 motorboat that has an enclosed occupancy compartment may be operated on any waters
2.20 of the state unless labels warning of carbon monoxide dangers are affixed in the vicinity
2.21 of: the aft reboarding/stern area, the steering station, and in or at the entrance to any
2.22 enclosed occupancy compartment.

2.23 (b) For a motorboat sold by a dealer, the dealer must ensure that specified warning
2.24 labels have been affixed before completion of the transaction.

2.25 (c) Warning labels approved by the American Boat and Yacht Council, National
2.26 Marine Manufacturers Association, or the commissioner satisfy the requirements of this
2.27 section when installed as specified.

2.28 Subd. 4. **License agents; distribution.** The commissioner shall mail the information
2.29 and labels to all motorboat owners of watercraft that are 19 feet and greater in length
2.30 the first year. The commissioner must also provide license agents with informational
2.31 brochures and warning labels about the dangers of carbon monoxide poisoning while
2.32 boating. A license agent must make the brochure and labels available to motorboat owners
2.33 and make efforts to inform new owners of the requirement. The commissioner shall
2.34 highlight the new requirements on the watercraft renewal reminder postcard for three
2.35 consecutive three-year license cycles and in the Minnesota Boating Guide. The brochure

3.1 must instruct motorboat owners to place the labels according to subdivision 3, and inform
3.2 motorboat owners of carbon monoxide dangers of gasoline-powered generators.

3.3 Subd. 5. **Safety warning.** A first violation of this section shall not result in a
3.4 penalty, but is punishable only by a safety warning. A second or subsequent violation
3.5 is a petty misdemeanor.

3.6 **EFFECTIVE DATE.** This section is effective May 1, 2017.

3.7 Sec. 5. **REPORT.**

3.8 The Minnesota Department of Natural Resources shall submit a report to the
3.9 legislature by November 1, 2018. The report shall outline any issues encountered relating
3.10 to implementation of this act, any changes to marine manufacturing industry standards
3.11 relating to carbon monoxide, the availability of plug-in or battery-powered marine certified
3.12 carbon monoxide detectors, and best practices in preventing carbon monoxide poisoning
3.13 relating to motorboat operation, including the feasibility of requiring carbon monoxide
3.14 detectors that are more sensitive in measuring carbon monoxide than required in this act.

3.15 Sec. 6. **APPROPRIATION.**

3.16 (a) \$210,000 in fiscal year 2017 is appropriated from the water recreation account in
3.17 the natural resources fund to the commissioner of natural resources for the purposes of
3.18 sections 1 to 5. This is a onetime appropriation.

3.19 (b) The commissioner of natural resources shall seek federal and other nonstate
3.20 funds to reimburse the department for the initial costs of producing and distributing
3.21 carbon monoxide boat warning labels. All amounts collected under this paragraph shall be
3.22 deposited into the water recreation account.

3.23 Sec. 7. **CITATION.**

3.24 Sections 1 to 6 may be known and cited as "Sophia's Law."