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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1606

02/25/2021 Authored by Koegel, Stephenson and Rasmusson The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to natural resources; regulating wake surfing on waters of this state;
1.3 amending Minnesota Statutes 2020, sections 86B.005, by adding subdivisions;
1.4 86B.315, subdivisions 1, 2, by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2020, section 86B.005, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 17a. Wake surfer. "Wake surfer" means a person who wake surfs.

1.9 Sec. 2. Minnesota Statutes 2020, section 86B.005, is amended by adding a subdivision to
1.10 read:

1.11 Subd. 17b. Wake surf. "Wake surf" means:

1.12 (1) to surf a wake, regardless of whether the surfer is being pulled by a tow rope attached
1.13 to the watercraft that is producing the wake; or

1.14 (2) to operate a boat that creates a wake that is, or is intended to be, surfed by another
1.15 person.

1.16 Sec. 3. Minnesota Statutes 2020, section 86B.315, subdivision 1, is amended to read:

1.17 Subdivision 1. Observer or mirror required. A person may not wake surf on waters
1.18 of this state or operate a watercraft on waters of this state and create a wake for a wake
1.19 surfer or tow while towing a person on water skis, an aquaplane, a surfboard, a saucer, or
1.20 a similar device unless:

2.1 (1) there is another person in the watercraft in addition to the operator who is in a position
2.2 to continually observe the person being towed; or

2.3 (2) the boat is equipped with a mirror providing the operator a wide field of vision to
2.4 the rear.

2.5 Sec. 4. Minnesota Statutes 2020, section 86B.315, subdivision 2, is amended to read:

2.6 Subd. 2. **Prohibited ~~night~~ activities.** (a) On waters of this state, from one-half hour
2.7 after sunset to sunrise of the following day, a person may not:

2.8 (1) wake surf;

2.9 (2) operate a watercraft creating a wake for a wake surfer;

2.10 (3) be towed by a watercraft; or

2.11 (4) operate a watercraft towing a person on water skis, an aquaplane, a surfboard, a
2.12 saucer, or another device.

2.13 (b) On waters of this state, a person may not wake surf on:

2.14 (1) a lake or bay of 50 acres or less; or

2.15 (2) a waterway where the waterway is less than 500 feet wide.

2.16 (c) On waters of this state, a person may not wake surf at greater than slow-no wake
2.17 speed within 200 feet of a:

2.18 (1) shoreline;

2.19 (2) dock;

2.20 (3) swimmer;

2.21 (4) raft used for swimming or diving; or

2.22 (5) moored, anchored, or nonmotorized watercraft.

2.23 Sec. 5. Minnesota Statutes 2020, section 86B.315, is amended by adding a subdivision to
2.24 read:

2.25 Subd. 3. **Requirements for wake surf watercraft.** A person may not wake surf unless
2.26 the watercraft used to wake surf is powered with a propeller that is forward of the watercraft's
2.27 transom or swim platform or powered by a jet drive.

3.1 Sec. 6. Minnesota Statutes 2020, section 86B.315, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 4. **No preemption.** Nothing in this section shall be construed to prevent a local
3.4 government from regulating wake surfing more than 200 feet from shore in accordance with
3.5 this chapter.