

for the fiscal year beginning July 1, 1955 and \$15,000 of which is for the fiscal year beginning July 1, 1956.

Approved April 22, 1955.

CHAPTER 705—H. F. No. 963

An act relating to the powers and duties of school boards; amending Minnesota Statutes 1953, Section 125.06, Subdivision 14.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 125.06, Subdivision 14, is amended to read:

Subd. 14. **Transportation of pupils.** It may provide for the free transportation of pupils to and from school, and to schools in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, *when funds are available therefor* and if agreeable to district to which it is proposed to transport the pupils, for the whole or a part of the school year as it may deem advisable, and subject to *its* rules. Every driver shall possess all the qualifications required by the rules of the state board of education. If high school pupils from a district within this state are being transported to a school in another state, the school board of the district from which the pupils are being transported may provide free transportation and tuition for any or all of its elementary pupils to such school in another state and be entitled to state aid as provided by law.

Approved April 22, 1955.

CHAPTER 706—H. F. No. 1003

[Coded in Part]

An act relating to the use of small boats, motorboats, and sailing vessels, prescribing safety measures in connection therewith, providing penalties for violation; amending Minnesota Statutes 1953, Section 361.01; Repealing Minnesota Statutes 1953, Sections 361.05, 361.22 to 361.27.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [361.41] **Definitions.** *Subdivision 1.*

For purposes of this act, the following terms have the meaning ascribed to them in this section.

Subd. 2. Person, means any individual, firm, corporation, partnership, company, association, trustee, administrator, executor, receiver, assignee or personal representative thereof.

Subd. 3. Boat means any vessel less than 26 feet in overall length used for transportation on or in water.

Subd. 4. Motorboat means any vessel less than 26 feet in overall length and propelled by machinery, including vessels equipped with detachable motors.

Subd. 5. Commissioner, means the commissioner of conservation of the State of Minnesota.

Sec. 2. [361.42] Boats to carry white light while under way. *Subdivision 1. Every boat when underway, shall carry on board from sunset to sunrise but not fixed to any part of the boat a lantern or flashlight capable of showing a white light visible all around the horizon at a distance of two miles or more and shall display such lantern in sufficient time to avoid collision with another boat.*

Subd. 2. Sailboats, including those with outboard motors, under 26 feet in length, propelled by sail and machinery or by sails alone, shall carry a bright white light to show all around the horizon. In addition, such boats when so propelled shall carry ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision. Every white light prescribed by this section shall be visible for a distance of two miles or more. The word "visible" when applied to lights shall mean visible on a dark night with clear atmosphere.

Sec. 3. [361.43] Mufflers required. *It is unlawful to use a boat propelled in whole or in part by gas, gasoline or naphtha unless the same is provided with a stock factory muffler, underwater exhaust or other modern devices capable of adequately muffling the sound of the exhaust of the engine. The phrase "adequately muffling" shall mean that the motor's exhaust at all times be so muffled or suppressed as not to create excessive or unusual noise. The discharge of cooling water through the exhaust of an inboard engine shall be considered an adequate muffling device. Motorboats may be operated with cut-outs or mufflers open while actually competing in any race licensed to be held by the council or other governing body of the city, village or town nearest to that portion of water on which such race is to be held.*

Sec. 4. [361.44] Navigation at safe rate of speed. *Subdivision 1. Every operator of a motorboat shall at all*

times navigate the same in a careful and prudent manner and at such rate of speed and along a course as not to endanger the life, limb or property of any person.

Subd. 2. It is unlawful to operate a motorboat in a careless or reckless manner. Reckless navigation of a motorboat shall include operating the same in a manner which unnecessarily interferes with the free and proper use of the navigable waters of the state or unnecessarily endangers other boats therein, or the life and limb of any person.

Subd. 3. No person shall operate any motorboat at a rate of speed greater than will permit him in the exercise of reasonable care to bring the motorboat to a stop within the assured clear distance ahead.

Sec. 5. [361.45] Boats approaching another boat.
Subdivision 1. When two boats are approaching each other "head on" or nearly so, so as to involve risk of collision, it shall be the duty of each boat to bear to the right and pass the other boat on its left side.

Subd. 2. When boats approach each other obliquely or at right angles, the boat approaching on the right side has the right of way.

Subd. 3. One boat may overtake another on either side but must grant right of way to the overtaken boat.

Sec. 6. [361.46] Operation of boats, where forbidden.
Subdivision 1. No person shall so anchor a boat for fishing or other purposes in such a position as to obstruct a passageway ordinarily used by other boats.

Subd. 2. No person shall operate a motorboat within a water area which is clearly marked by buoys or some other distinguishing device as a bathing or swimming area.

Sec. 7. [361.47] Mooring boat to buoy. Any person mooring any boat to any of the buoys or beacons placed in any waterway by the authority of the United States or by the authority of a commission or subdivision thereof, or in any manner hanging on with a boat to such buoy or beacon shall be guilty of a misdemeanor.

Sec. 8. [361.48] Drug addicts or persons under influence of liquor. It shall be unlawful for any person who is under the influence of intoxicating liquor or narcotic drugs or barbital or any person who is a habitual user of same to operate, propel or be in actual physical control of any boat. It shall be unlawful for the owner of any boat or any person having

such in charge or in control to authorize or knowingly permit the same to be propelled or operated by any person who is under the influence of intoxicating liquor, narcotic drugs or barbitol or any person who is a habitual user of same.

Sec. 9. [361.49] Accidents to be reported. *The operator of any boat involved in an accident resulting in injury oqr death to any person or in damage to property shall immediately stop such boat at the scene of such accident and shall give his name, address, full identification of his boat and the name and address of the owner, to the person struck or the operator or occupants of the boat collided with, and shall render to any person injured in such an accident reasonable assistance and shall report such accident to the nearest or most convenient law enforcement agency or office.*

Sec. 10. [361.50] Violations, penalties. *Any person who shall violate any provision of this act or regulation promulgated thereunder is guilty of a misdemeanor.*

Sec. 11. Minnesota Statutes 1953, Section 361.01 is amended to read:

361.01 Regulations for preventing accidents. The following regulations for preventing collisions shall be followed by vessels *26 feet or more in overall length* navigating lakes and rivers in the state of Minnesota:

In the following rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel; and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel *26 feet or more in overall length* propelled by machinery.

A vessel is "under way" within the meaning of these rules, when she is not at anchor, or made fast to the shore, or ground.

The word "visible" in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

Sec. 12. Repealer. Minnesota Statutes 1953, Sections 361.05; 361.22 to 361.27 are repealed.

Approved April 22, 1955.
