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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **3310**

03/17/2016 Authored by Hertaus, Pugh, Gruenhagen, Selcer, Rosenthal and others

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy

03/24/2016 Adoption of Report: Amended and re-referred to the Committee on Environment and Natural Resources Policy and Finance

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

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

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

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

- 1.13 (1) designated sleeping accommodations;
1.14 (2) a galley area with sink; and
1.15 (3) a head compartment.

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

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

1.21 Sec. 3. **[86B.532] CARBON MONOXIDE DETECTION SYSTEM**
1.22 **REQUIREMENTS.**

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

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

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

2.13 Subd. 3. **Carbon monoxide poisoning warning labels.** (a) No gasoline-powered
2.14 motorboat that has an enclosed accommodation compartment may be operated on any
2.15 waters of the state unless labels warning of carbon monoxide dangers are affixed in the
2.16 vicinity of the aft reboarding area, the galley, and the steering station.

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

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

2.22 Subd. 4. **License agents; distribution.** The commissioner shall mail the
2.23 information and labels to all motorboat owners required to install labels in the first
2.24 year. The commissioner must also provide license agents with informational brochures
2.25 and warning labels about the dangers of carbon monoxide poisoning while boating. A
2.26 license agent must make the brochure and labels available to motorboat owners and make
2.27 efforts to inform new owners of the requirements. The commissioner shall highlight the
2.28 new requirements on the watercraft renewal reminder postcard for three consecutive
2.29 three-year license cycles and in the Minnesota Boating Guide. The brochure must instruct
2.30 motorboat owners with gasoline-powered motorboats that have enclosed accommodation
2.31 compartments to place the labels according to subdivision 3 and inform motorboat owners
2.32 of carbon monoxide dangers of gasoline-powered generators.

2.33 Subd. 5. **Safety warning.** A violation of this section does not result in a penalty
2.34 but is punishable only by a safety warning.

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

3.1 Sec. 4. CITATION.

3.2 Sections 1 to 3 may be known and cited as "Sophia's Law."