SB339 INTRODUCED



- 1 XI4UEE-1
- 2 By Senator Sessions
- 3 RFD: Veterans and Military Affairs
- 4 First Read: 18-May-23
- 5 2023 Regular Session



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4 SYNOPSIS:

This bill would provide for the placement of a uniform system of navigational markers on the waters of this state and would require the Alabama State Law Enforcement Agency to provide general oversight and maintenance of permitted navigational markers on the waters of this state.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL

17 TO BE ENTITLED

18 AN ACT

Relating to vessels and navigation; to provide for the placement of a uniform system of navigational markers on the waters of this state; to amend Section 33-5-4, Code of Alabama 1975, to require the Alabama State Law Enforcement Agency to provide general oversight and maintenance of permitted navigational markers on the waters of this state; and to make nonsubstantive, technical revisions to update the existing code language to current style.

28 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. (a) The Alabama State Law Enforcement Agency
shall adopt rules to establish a uniform system of
navigational markers for the waters of this state, compatible
with the system of regulatory markers prescribed by the United
States Coast Guard in the United States Aids to Navigation
System, 33 C.F.R. Part 62.

- (b) Waters of this state shall be marked only in conformity with the rules adopted pursuant to this section and United States Aids to Navigation System, 33 C.F.R. Part 62.
- (c) Uniform navigational markers may only be placed in the waters of this state as provided in this section. Any person, county, or municipality desiring to mark waterways for safety and navigation purposes in the state may apply to the Alabama State Law Enforcement Agency for permission to place uniform navigational markers on the waters of this state.
- (d) Application for placement of a uniform navigational marker on the waters of this state or any navigable waters under concurrent jurisdiction of the Coast Guard and the state shall be made to the Alabama State Law Enforcement Agency, accompanied by a map locating the approximate placement of markers, a list of the markers to be placed, a statement of the specification of the markers, a statement of the purpose of marking, and the names of individuals responsible for the placement and upkeep of the markers.
- (e) The Alabama State Law Enforcement Agency shall assist any applicant for a permit under this section to secure the proper permission from the Coast Guard where required, make any investigations as needed, and issue a permit.

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- (f) The agency shall furnish an applicant with the information concerning the system adopted and the rules existing for placing and maintaining the markers. The agency shall keep records of all approvals given and counsel with individuals, counties, municipalities, or other groups desiring to mark waterways for safety and navigation purposes in the state.
- (g) This section shall only apply to the waters of the Gulf of Mexico and any other salt and brackish bodies of water under the jurisdiction of the State of Alabama, whether coastal, intercoastal, or inland, and any part thereof.
- Section 2. Section 33-5-4, Code of Alabama 1975, is amended to read as follows:

70 "\$33-5-4

- (a) It is hereby expressly made the duty of the commissioner to set up a division within the Department of Conservation and Natural Resources to be known as the "Division of Marine Police" with sufficient personnel to perform the necessary clerical and routine work for the department in issuing, The Marine Patrol Division shall be responsible for all of the following duties:
- (1) Issuing, handling, and recording vessel registration identifying numbers, including the receiving.
- (2) Receiving and accounting of all registration fees and payments of same to the Alabama State Law Enforcement Agency into the State Treasury, receiving.
- (3) Receiving, investigating, and recording accident reports and making such providing reports of such accidents to



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85	such the applicable federal agency as may be required by
86	federal law-and-such.
87	(4) General oversight and maintenance of permitted
88	navigational markers located on the waters of this state, as
89	provided in Section 1 of the act amending this section.
90	(5) Any other incidental clerical work connected with
91	the administration of this <u>article</u> chapter.
92	(b) The <pre>law-enforcement law enforcement officers of the</pre>
93	Division of Marine Police of the Department of Conservation
94	and Natural Resources Marine Patrol Division shall be known a
95	marine police officers."
96	Section 3. This act shall become effective on the first
97	day of the third month following its passage and approval by

98 the Governor, or its otherwise becoming law.