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A REGULATION OF THE LAKE WYLIE MARINE COMMISSION

In accordance with North Carolina General Statute Section 77-37 and South Carolina Code of Laws Section 49-27-80, the Lake Wylie Marine Commission hereby adopts the following regulation (this “Regulation”):

- (a) Regulated Area. This Regulation applies to the waters of Lake Wylie in York County (such waters, the “Regulated Area”). For the purpose of this Regulation, “Lake Wylie” means the impounded body of water along the Catawba River extending from the base of Mountain Island Dam downstream to the Catawba Dam and along the South Fork River south of Armstrong Ford Road.
- (b) Purpose. The purpose of this Regulation is to avoid confusion by aligning the liability insurance rules for personal watercraft for the South Carolina waters of Lake Wylie with those that apply to the North Carolina waters of Lake Wylie.
- (c) Personal Watercraft. For the purposes of this regulation, a “personal water craft (PWC)” is a vessel as defined in S.C. Code of laws 50-21-10.
- (d) Liability Insurance. No person, firm, or corporation shall engage in the business of renting personal watercraft to the public for operation by the rentee unless the person, firm, or corporation has secured insurance for the liability of the person, firm, or corporation and that of the rentee, in such an amount as is hereinafter provided, from an insurance company duly authorized to sell liability insurance in this State. Each personal watercraft rented must be covered by a policy of liability insurance insuring the owner and rentee and their agents and employees while in the performance of their duties against loss from any liability imposed by law for damages including damages for care and loss of services because of bodily injury to or death of any person and injury to or destruction of property caused by accident arising out of the operation of such personal watercraft, subject to the following minimum limits: three hundred thousand dollars (\$300,000) per occurrence.
- (e) Penalty for Violation. Violation of this regulation is a misdemeanor punishable by a fine not to exceed two hundred dollars or thirty days' imprisonment.
- (f) Effective Date. This Regulation is effective January 1, 2025.

PWC liability laws

South Carolina

SECTION 50-21-120. Duty of boat livery as to equipment, registration and the like; liability of owner for negligent operation of vessel.

Neither the owner, his agent, or employees of a boat livery operating in this State shall permit any vessel to depart from his premises unless it is in sound and safe operating condition, have a valid registration, is properly numbered and is provided, either by the owner or the renter, with the equipment required pursuant to Section 50-21-610 and any regulations made pursuant thereto; and the owner of a boat livery shall be liable for damage or injury which may result directly from his failure to meet the requirements of this paragraph; provided, however, that readily identifiable livery boats of less than twenty-six feet in length leased or rented to another for the latter's noncommercial use for less than seven days may have the registration certificate retained ashore by the owner or his representative.

The owner of a vessel shall be liable for any injury or damage occasioned by the negligent operation of such vessel whether the negligence consists of a violation of the provisions of the statutes of this State or neglecting to observe the ordinary care in the operation as the regulations of common law require. The owner shall not be liable, however, unless the vessel is being used with his express or implied consent or is in the possession of a person or organization legally responsible therefor. It shall be presumed that the vessel is being operated with the knowledge and consent of the owner if, at the time of the injury or damage, it is under control of a member of the owner's household. Nothing contained herein shall be construed to relieve any other person from any liability which he would otherwise have. **Provided, the owner of a boat livery shall not be liable as an owner as provided in this paragraph, and in case of any negligent injury or damage occasioned by the operation of a vessel rented or hired from a boat livery, the operator of the vessel shall be liable as owner thereof.**

North Carolina

G.S. 75A-13.3

(c1) No person, firm, or corporation shall engage in the business of **renting personal watercraft to the public for operation by the rentee unless the person, firm, or corporation has secured insurance for the liability of the person, firm, or corporation and that of the rentee,** in such an amount as is hereinafter provided, from an insurance company duly authorized to sell liability insurance in this State. Each personal watercraft rented must be covered by a policy of liability insurance insuring the owner and rentee and their agents and employees while in the performance of their duties against loss from any liability imposed by law for damages including damages for care and loss of services because of bodily injury to or death of any person and injury to or destruction of property caused by accident arising out of the operation of such personal watercraft, subject to the following minimum limits: three hundred thousand dollars (\$300,000) per occurrence.