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ALEA Joins National Safe Boating Week and Highlights Recent Legislative Changes

MONTGOMERY – This week, the Alabama Law Enforcement Agency’s (ALEA) Marine Patrol Division proudly joined organizations across the nation to participate and observe National Safe Boating Week, a global initiative which runs from May 18 to May 24.

Boating is a cherished pastime in Alabama, especially during the Memorial Day weekend, which starts at the end of National Safe Boating Week and marks the unofficial start of the summer boating season. With this in mind, the Agency held a press event at the Alabama State Capitol on Tuesday, May 21, to emphasize the importance of safety on the water, along with announcing recent legislation that was signed into law and will greatly enhance safety on the water across the state.

One monumental legislative update was the emergency cut-off switch or “kill switch,” which brought state law into compliance with federal law. The law requires the emergency cut-off switch link to be in use on covered vessels while the vessel is above displacement speed. Covered vessels are any motorized vessel less than 26-feet in length with a propulsion system capable of producing 115 pounds of static thrust, which is essentially a motor of 3 horsepower and greater. It is required of all such vessels constructed on or after January 1, 2020, or such vessels that were already equipped with an emergency cut-off switch prior to or at the time of passage of the Federal law. This new requirement is aimed at protecting occupants of the boat and other vessels from runaway boats by ensuring the engine immediately stops when the operator leaves the helm or is displaced for any reason.

"The safety of all individuals enjoying Alabama's waterways is paramount," stated Matt Brooks, Chief of ALEA's Marine Patrol Division. "Boats can make sudden turns with enough force to throw an operator from the helm or completely out of the boat, causing the vessel to become a deadly hazard to the ejected operator and creates a danger to others in the area. By requiring operators to utilize these switches, ALEA aims to prevent these types of accidents, thus reducing the potential for injuries and fatalities."

Another legislative act addressed the regulation of wakeboarding and wakesurfing on specific impounded waters of the state. This measure seeks to mitigate potential hazards associated with these activities while preserving the natural beauty and recreational value of Alabama's bodies of water.

This act, which went into effect on Sept. 1, 2023, regulates wakeboarding and wakesurfing on the waters of the state impounded by Lewis Smith Dam (Lewis Smith Lake), R.L. Harris Dam (Lake Wedowee or the R.L. Harris Reservoir) and on Shoal Creek in Lauderdale County north of Highway 72. According to the new law, a person may not engage in wakeboarding or wakesurfing between sunset and sunrise, on portions of water where the width is less than 400 feet, within 200 feet from any shoreline, dock, pier, boathouse or other structure located on the impounded waters, and while not wearing a personal flotation device approved by the United States Coast Guard.

Law enforcement will issue a warning for a first offense until September 1, 2024. A second or subsequent offense within the same calendar year will be treated like a first offense with regard to penalties. Penalties for a first offense are a fine of no less than \$100.

Lake Martin and Weiss Lake were recently added to this law. The law will take effect on those bodies of water on Oct. 1, 2024.

"We recognize the growing popularity of wakeboarding and wakesurfing in Alabama," Colonel Jonathan Archer, Director of ALEA's Department of Public Safety (DPS) said. "Through thoughtful regulation, we aim to foster a safe and enjoyable environment for enthusiasts while respecting the needs and concerns of other recreational users. This week and every week, we aim to promote public safety and save lives on the water."

ALEA Secretary Hal Taylor said, "We would also like to extend our sincere gratitude to the Alabama Legislature and Governor Kay Ivey for their unwavering support and specifically to Representatives Ginny Shaver and Ed Oliver and Senator Jay Hovey, for their collaborative efforts in prioritizing public safety on Alabama's waterways during the previous legislative session. With their assistance, we can continue our mission of ensuring safe and enjoyable experiences for all who navigate our state's scenic waterways."

ALEA's Marine Patrol Division remains committed to promoting water safety and enforcing regulations that protect the well-being of all individuals utilizing Alabama's water resources. These legislative acts underscore ALEA's ongoing dedication to enhancing public safety and preserving the natural beauty of Alabama's waterways.

To promote water and boating safety, the Alabama Marine Patrol Division offers the following tips:

1. ****Wear a Life Jacket:**** Always wear a U.S. Coast Guard-approved life jacket while boating, fishing, or participating in water sports. Ensure that life jackets fit properly and are suitable for each passenger.
2. ****Avoid Alcohol:**** Operating a boat under the influence of alcohol or drugs is illegal and significantly increases the risk of accidents. Designate a sober driver or skipper to ensure safe navigation.
3. ****Check the Weather:**** Stay informed about weather conditions before heading out on the water. Postpone boating activities if inclement weather is forecasted and be prepared to seek shelter if necessary.
4. ****Follow Navigation Rules:**** Observe speed limits, maintain a safe distance from other vessels, and adhere to all navigational markers and buoys. Practice courteous boating etiquette and be mindful of other boaters, swimmers, and wildlife.
5. ****Equip Your Boat:**** Ensure that your boat is properly equipped with essential safety gear, including fire extinguishers, navigation lights, and a first aid kit. Regularly inspect and maintain your vessel to prevent mechanical failures.
6. ****Be Prepared:**** Familiarize yourself with local boating regulations and emergency procedures. Carry a charged cell phone or marine radio for communication in case of emergencies and inform someone ashore of your boating plans.

For more information on ALEA's Marine Patrol Division and safety initiatives, please visit alea.gov or contact media.relations@alea.gov.

Acts referenced:

- Act 2023-363 - The emergency cut off switch and other Marine Patrol reorganization changes, effective January 1, 2024 (Rep. Shaver & Senator Elliott)
- Act 2023 – 459 – Wakesurfing regulations, effective October 1, 2023 (Rep. Wadsworth & Senator Gudger)
- Act 2024-212 – Addition of Wakesurfing regulations and 100-foot proximity, effective October 1, 2024 (Rep. Oliver & Senator Hovey)
- Act 2024-394 – Nonresident Boater Safety Certification requirement, effective October 1, 2024 (Rep. Shaver & Senator Hovey)

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