



HOUSE BILL 1027: Bald Head Island/No-Wake Zone.

2017-2018 General Assembly

Committee: Senate State and Local Government. If **Date:** June 19, 2018
favorable, re-refer to Rules and Operations of
the Senate

Introduced by: Rep. Iler **Prepared by:** Billy R. Godwin
Analysis of: Second Edition Staff Attorney

OVERVIEW: House Bill 1027 would make a violation of the "no-wake" speed zone within the waters of the Village of Bald Head Island an infraction, punishable by a fine of \$50.00, and would authorize enforcement of the "no-wake" speed zone by wildlife protectors and law enforcement officers in the State.

The act would become effective when it becomes law.

CURRENT LAW: Operating any motorboat or vessel at greater than no-wake speed upon any waters within the community of Sunset Harbor and the Village of Bald Head Island is a misdemeanor and punishable by a fine not to exceed \$250, provided the restricted areas are marked in accordance with the Uniform Waterway Marking System by the community or its designee. A "no-wake" speed is idle speed or a slow speed creating no appreciable wake. The "no-wake" speed zone is enforced by officers of the Wildlife Resources Commission and by the Brunswick County Sheriff. S.L. 1987-688.

The "no-wake" speed zone for the Village of Bald Head Island established under S.L. 1987-688 is incorporated into Section 7.1 of the revised and consolidated Charter for the Village of Bald Head Island. S.L. 1997-324.

BILL ANALYSIS: House Bill 1027 would amend S.L. 1987-688 to make a violation of the "no-wake" speed zone in the Village of Bald Head Island an infraction, punishable by a fine of \$50.00, and no court costs could be assessed. An infraction is a noncriminal violation of law, not punishable by imprisonment. G.S. 14-3.1.

Violations would be enforceable by every wildlife protector and other law enforcement officer of the State and its subdivisions as if the "no-wake" speed zone were a provision of the State *Boating Safety Act* under Article 1 of Chapter 75A of the General Statutes.

EFFECTIVE DATE: The act would become effective when it becomes law.

Staff attorney Jessica Sammons contributed to this bill summary.

Karen Cochrane-Brown
Director



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