



Legislative Council Staff

Research Note

Version: Final

Date: 4/15/2016

Bill Number

House Bill 16-1315

Sponsors

Representative Melton
Senator Todd

Short Title

Allow Seaplanes In State Parks
Like Motorboats

Research Analyst

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Status

This research note reflects the final version of the bill. The bill was postponed indefinitely by the House Transportation Committee on April 13, 2016.

Summary

This bill includes seaplanes within the statutory definition of a "vessel" and prohibits the Parks and Wildlife Commission, municipalities, and special districts from arbitrarily excluding seaplanes from state waters that are open to the operation of motorboats. The bill also exempts seaplanes, which are to be registered and numbered pursuant to federal law, from the Colorado Parks and Wildlife (CPW) boat registration program in the Department of Natural Resources (DNR).

Background

The CPW Registration Unit registers boats, off-highway vehicles, and snowmobiles. Unless exempt, any vessel operated on the waters of Colorado or at a vessel staging area must be registered with the CPW and display that registration number on the vessel's hull. Exempted vessels include canoes, kayaks, inner tubes, non-motorized or hand-propelled craft, and vessels registered in another jurisdiction. Funds raised through the boat registration program support CPW's boating safety activities, which include running a statewide patrol team, training marine officers, producing educational materials and classes, and maintaining recreational boating facilities. Registration fees are also used in the United States Coast Guard's calculations for federal matching funds under the Recreational Boat Safety grant program. In FY 2014-15, a total of 85,158 vessels were registered with the CPW.

Seaplane regulation on state lands. State law does not currently regulate the use of public

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waters by seaplanes. However, under current CPW regulations, aircraft are prohibited from landing on or taking off from any lands or waters managed by CPW.

Seaplane regulation on federal lands in Colorado. The Federal Aviation Administration (FAA) issues and enforces regulations and minimum standards covering the manufacture, operation, and maintenance of aircraft. Seaplane regulations are set forth in Title 14 of the Code of Federal Regulations. In addition, the FAA's Aeronautical Information Manual states that the landing of aircraft is prohibited on lands or waters administered by the National Park Service, U.S. Fish and Wildlife Service, or U.S. Forest Service without authorization from the respective agency.

Exceptions include:

- when forced to land due to an emergency beyond the control of the operator;
- at officially designated landing sites; or
- an approved official business of the federal government.

There are currently no officially designated water landing sites on federally managed land for seaplanes in Colorado.

House Action

House Transportation Committee (April 13, 2016). At the hearing, representatives of the Colorado Marine Dealers Association, the DNR, Northern Water, Greeley Water, Jefco Aeromodelers, Boyd Lake Shores Homeowners Association, and the Colorado Water Congress testified in opposition to the bill. Representatives of the Seaplane Pilots Association, the Colorado Pilots Association, and three private citizens testified in support of the bill. The bill was postponed indefinitely by the committee.