

NASBLA MODEL ACT ON USE OF ENGINE CUT-OFF SWITCHES

This act originally was adopted by the membership of the National Association of State Boating Law Administrators on Sept. 15, 2004. In 2005, the NASBLA Boats & Associated Equipment and Law Enforcement Committees approved and recommended this version of the act to the NASBLA membership as part of the Association’s Model Act Review and Standardization Project. The act was approved in revised form by the membership on Sept. 21, 2005.*

The act requires the operator of a motorboat equipped with an engine cut-off switch to use this safety feature while the engine is running and the vessel is underway, and to attach the cut-off switch link to their person, clothing or personal flotation device as described in the act. In the event the operator falls overboard or otherwise is moved from normal operating position, the switch would immediately shut off the engine.

See also the NASBLA Model Act for Personal Watercraft, originally adopted by the membership in 1991, amended in 1998, and approved in revised form on Sept. 21, 2005. In that act, among the requirements for safe PWC operation is the operator’s use of the manufacturer-equipped engine cut-off switch and link attachment.

**The 2005 revision uses language that accommodates new and emerging wireless technologies for engine cut-off.*

1 Section 1. [*Short Title.*] This act may be cited as the Use of Engine Cut-Off Switches Act.

1 Section 2. [*Applicability.*] The provisions of this act apply on all waters within the jurisdiction
2 of this state.

1 Section 3. [*Definitions.*] As used in this act:

2 (1) “Dealer” means any person engaged wholly or in part in the business of selling or offering
3 for sale, buying or taking in trade for the purpose of resale, exchanging, displaying or
4 demonstrating [two or more] new or used vessels within any [twelve (12)] consecutive months,
5 and who receives or expects to receive money, profit, or any other thing of value. A dealer must
6 have an established place of business for the sale, trade or display of such vessels.

7 (2) “Engine cut-off switch link” means the lanyard or wireless cut-off device used to attach the
8 motorboat operator to the engine cut-off switch installed on the motorboat.

9 (3) “Engine cut-off switch” means an operable emergency cut-off engine stop switch installed
10 on a motorboat and that attaches to the motorboat operator by an engine cut-off switch link.

11 (4) “Manufacturer” means any person engaged in the manufacture, construction or assembly of
12 vessels, or their importation into the United States for the purpose of sale or trade.

13 (5) “Motorboat” means any mechanically powered recreational vessel, including a recreational
14 vessel temporarily equipped with a detachable engine.

15 (6) “Operate” means to navigate or otherwise control the movement of a motorboat, including
16 control of the motorboat’s propulsion system.

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17 (7) “Operator” means the person who navigates or is otherwise in control or in charge of the
18 movement of the motorboat, including control of the motorboat’s propulsion system.

19 (8) “Personal flotation device” means a device that is approved by the United States Coast
20 Guard under 46 CFR Part 160.

21 (9) “Underway” means the motorboat is on the water and not moored, anchored, docked, or
22 aground.

23 (10) “Wireless cut-off system” means an operable wireless emergency cut-off engine stop
24 switch installed on a motorboat.

1 Section 4. [*Engine Cut-Off Switch Requirements.*] No person shall operate a motorboat
2 equipped with an engine cut-off switch while the engine is running and the motorboat is
3 underway without:

4 (1) Maintaining the switch in an operable, fully functional condition; and

5 (2) Attaching the engine cut-off switch link or wireless cut-off device to the operator, the
6 operator’s clothing, or if worn, the operator’s personal flotation device; or

7 (3) Activating the wireless cut-off system.

1 Section 5. [*Exemptions.*] [Insert any exemptions based on type of vessel, speed or purpose, if
2 warranted.]

1 Section 6. [*Penalty for Violation.*] A violation of this act constitutes a [insert offense and
2 penalty(ies)].

1 Section 7. [*Effective Date.*] [Insert effective date.]