



Rules of
Department of Public Safety
Division 80—Missouri State Water Patrol
Chapter 9—Mandatory Boater Safety Education
Program

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**Title 11—DEPARTMENT OF
PUBLIC SAFETY**

**Division 80—Missouri State Water Patrol
Chapter 9—Mandatory Boater Safety
Education Program**

**11 CSR 80-9.010 Mandatory Boater Safety
Education Program**

PURPOSE: This rule defines the responsibilities and procedures regarding mandatory boater safety education pursuant to section 306.127, RSMo for vessel operators on the waterways of the state of Missouri to ensure and promote public safety and welfare.

(1) The minimum standards for certified boater education shall be the standards established by the National Association of State Boating Law Administrators (NASBLA).

(2) Beginning January 1, 2005, any person convicted of an offense pursuant to section 306.110, 306.111, 306.112, 306.127, 306.132 or 306.141, RSMo must complete and pass a certified boater education course even if such person completed a certified boater safety education course prior to January 1, 2005.

(3) Any person convicted of an offense pursuant to section 306.110, 306.111, 306.112, 306.127, 306.132 or 306.141, RSMo shall not operate a vessel until he or she possesses a certification card issued by the Missouri State Water Patrol.

(4) It shall be the responsibility of the person to whom a boater education certification card is issued to notify the Missouri State Water Patrol of name and address changes. Upon notification, the Missouri State Water Patrol shall issue a replacement certification card for a fee that does not substantially exceed the administrative and production costs of the certification cards.

(5) Every boat operator required to carry a boating safety education certification card pursuant to section 306.127 or 306.128, RSMo shall also have in his or her possession some form of valid state or school issued identification with a photograph of the certification card holder.

(6) As used in section 306.127, RSMo, subsection 4, paragraph 8, the term “previously” means prior to January 1, 2005, but does not exempt the boat operator from the requirement to carry the certification card.

(7) Every non-resident boat operator pursuant to section 306.127 or 306.128, RSMo shall

possess a boating safety certification card from their home state, United States Coast Guard Auxiliary, U.S. Power Squadron, or the Missouri State Water Patrol.

(8) Every resident boat operator pursuant to section 306.127 or 306.128, RSMo shall possess a certification card issued by the Missouri State Water Patrol.

AUTHORITY: section 306.129, RSMo Supp. 2003. Original rule filed Nov. 26, 2003, effective May 30, 2004.*

**Original authority: 306.129, RSMo 2003.*

**11 CSR 80-9.020 Temporary Nonresident
Rental Vessel Operator Permits**

PURPOSE: This rule defines the responsibilities and procedures regarding mandatory boater certification examinations and temporary boater certification permits pursuant to section 306.127(7), RSMo for nonresident persons operating a rental vessel on the lakes of the state of Missouri to ensure and promote public safety and welfare.

(1) The Missouri State Water Patrol shall develop a temporary boater certification examination for nonresident boat operators born after January 1, 1984 desiring to operate a rental vessel on the lakes of the state and do not possess proof of successful completion of a N.A.S.B.L.A. approved boating safety education course issued by Missouri or another state. This examination will consist of a total of twenty-five (25) true-false and/or multiple choice questions and will test a boat operator’s basic knowledge of boating safety laws and practices.

(2) A nonresident boat operator born after January 1, 1984 must present a photographic identification to an employee of the business entity prior to taking a temporary boater certification examination. The person’s name, date of birth and address shall be verified by the business entity employee administering the examination and shall be recorded on both the temporary boater certification examination and the temporary boater education permit.

(3) Business entities responsible for administering the temporary boater certification examination shall make available to the customer a copy of the “Handbook of Missouri Boating Laws and Responsibilities” or other boating handbook approved and supplied by the Missouri State Water Patrol prior to

administering the temporary boater certification examination.

(4) Employees of the business entity administering the temporary boater certification examination shall not at any time provide the answers to the examination questions to the test taker prior to the test taker successfully completing the examination.

(5) Persons taking the examination for a temporary boater education permit must achieve a minimum score of seventy-two percent (72%) (eighteen (18) of twenty-five (25) questions correct). Those that score below seventy-two percent (72%) will be required to review the “Handbook of Missouri Boating Laws and Responsibilities” prior to retaking the examination. No one will be allowed to take the temporary boater certification examination more than two (2) times in one (1) day.

(6) All examinations and temporary boater education permits shall be numbered by the Missouri State Water Patrol. All examinations administered by any business entity shall be forwarded to the Missouri State Water Patrol no later than the fifteenth day of the month following the month that they were administered. The examination shall bear the test taker’s name, address and date of birth and all incorrect answers will be clearly marked by an employee of the business entity administering the examination. The business entity submitting the examinations shall clearly indicate “pass” or “fail” on each examination submitted.

(7) Business entities shall issue a temporary boater education permit provided by the Missouri State Water Patrol to test takers that pass the temporary boater certification examination and test takers that receive the temporary boater education permit shall carry the permit with them while operating the rental vessel. The fee for the temporary boater education permit shall be ten dollars (\$10).

(8) All fees collected by business entities pursuant to 306.127(7), RSMo, shall be forwarded to the Missouri State Water Patrol no later than the fifteenth day of the month following the month that they were collected. Fees shall be submitted to the Water Patrol in a single payment in the form of a business check, money order or cashier’s check for the receipts from the preceding month from the business entity administering the temporary boater certification examinations.



(9) The Missouri State Water Patrol may conduct annual audits of the temporary boater certification program. All records relative to the administration of 306.127(7), RSMo, shall be maintained by the business entity for a minimum of two (2) years. All business entities that are authorized to provide the temporary boater certification examination and issue temporary boater education permits will be responsible for temporary boater certification examinations that they have received and the fees collected for issuing the temporary boater education permits. Business entities that do not keep accurate records of the temporary boater certification examinations, temporary boater education permits, or the fees collected will not be allowed to continue to administer the temporary boater certification examinations or issue the temporary boater education permits.

(10) This rule shall terminate on December 31, 2010.

AUTHORITY: section 306.127(7), RSMo Supp. 2004. Original rule filed Feb. 8, 2005, effective Aug. 30, 2005.*

**Original authority: 306.127, RSMo 2003, amended 2004.*