

Date of Hearing: April 21, 2026

Counsel: Mary Kennedy

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 2055 (Jeff Gonzalez) – As Amended March 16, 2026

SUMMARY: Changes registration and operation specifications of vessels and expands the scope of certain vessel-related penalties. Specifically, **this bill:**

- 1) Authorizes a peace officer to prepare a written notice to appear when the officer has reasonable cause to believe that a person involved in a traffic accident has violated boating law and that the violation was a factor in the occurrence of the vessel accident.
- 2) Provides that a peace officer has reasonable cause to issue a written notice to appear if, as a result of the officer's investigation, the officer has evidence, either testimonial or real, or a combination of testimonial and real, that would be sufficient to issue a written notice to appear if the officer had personally witnessed the events investigated.
- 3) Requires the notice to appear to contain the name and address of the person, the registration number of the person's vessel, if any, the name and address, when available, of the registered owner or lessee of the vessel, the offense charged, and the time and place when and where the person may appear in court or before a person authorized to receive and deposit bail.
- 4) Provides that the time specified above shall be at least 10 days after the notice to appear is delivered.
- 5) Makes the failure of a vessel to display a ski flag to indicate a swimmer in the vicinity of the vessel an infraction punishable by a fine not exceeding \$15.
- 6) Defines a "for-hire vessel" as any vessel propelled by machinery carrying one or more passengers for hire.
- 7) Requires every vessel using the water or on the waters of California to be registered with the state, to the extent permissible under federal law.
- 8) Prohibits a court from staying, suspending, or entertaining dismissal of the proceedings of a case in which a person is charged with operating a vessel under the influence of alcohol or drugs, for attendance or participation in any education, training, or treatment programs.

EXISTING LAW:

- 1) Requires that every person operating a vessel, including a personal watercraft, operate the vessel in a reasonable and prudent manner so as not to endanger life, limb, or property (Harb. and Nav. Code, § 655).

- 2) Requires a vessel towing a water skier must display, or cause to be displayed, a ski flag to indicate specified conditions, including a downed skier, a skier in the water preparing to ski, a ski line extended from the vessel, or a ski in the water in the vicinity of the vessel. Failure to display the ski flag under these conditions is an infraction (Harb. and Nav. Code, § 658.7 subd. (a).)
- 3) Defines a “for-hire vessel” as any vessel propelled by machinery carrying more than three passengers for hire, except: a sea plane on water; and, a watercraft specifically designed to operate on a permanently fixed course. (Harb. and Nav. Code, § 760)
- 4) Defines an “undocumented vessel” as any vessel that is not required to have, and does not have, a valid marine document issued by the United States Coast guard or any federal agency (Harb. and Nav. Code, § 651 subd. (ad).)
- 5) Authorizes a peace officer to a person for violating the Vehicle Code when the peace officer has reasonable cause to believe that the person involved in a traffic accident has violated a provision of the Vehicle Code not declared to be a felony or a local ordinance and the violation was a factor in the occurrence of the traffic accident. (Veh. Code, § 40600)
- 6) Requires every undocumented vessel using the waters or on the waters of the state to be registered with the Department of Motor Vehicles (DMV) (Veh. Code, § 9850).
- 7) Exempts undocumented vessels from DMV registration if the vessel is registered by the federal government or a federally approved registration system of another state (Veh. Code, § 9873).
- 8) Prohibits a court from staying, suspending, or entertaining dismissal of the proceedings of a case in which a person is charged with operating a vehicle under the influence of alcohol or drugs, for attendance or participation in any education, training, or treatment programs (Veh. Code, § 23640).

FISCAL EFFECT: None known

COMMENTS:

- 1) **Author’s statement:** According to the author: “AB 2055 is an important vessel safety measure that seeks to update existing laws on vessel operation, harmonize related provisions of state and federal law, and conform California laws on vehicle and vessel operation. It is vital that statutes are constantly reviewed so that evolving practices can be reflected. It’s also important to resolve differences between state and federal law that cause confusion. The Harbors and Navigation Code addresses issues that mirror those handled in the Vehicle Code but not always in the same fashion. The common thread for the provision in this bill is the safe and legal operation of vessels.”
- 2) **Boating under the Influence:** When a person is charged with a DUI, the law prohibits the court from suspending or staying the proceeding for the purpose of allowing an accused person participates in an education or treatment program during the suspension nor shall the court dismiss the case because a person is participating in an education or treatment program. This bill would apply those provisions to DUI while boating.

- 3) **Notice to appear:** Vehicle Code Section 40600, allows a peace officer to cite a person for violating the Vehicle Code when the peace officer has reasonable cause to believe that the person involved in a traffic accident has violated a provision of the Vehicle Code not declared to be a felony or a local ordinance and the violation was a factor in the occurrence of the traffic accident. There is no analogous provision for boaters involved in vessel accidents. This bill would provide the same authority for peace officers to prepare a written notice to appear for a person operating a vessel.
- 4) **Ski flag law.** The Harbors and Navigations Code requires boat operators to display an orange or red ski flag under specific conditions to alert nearby vessels that a skier is in the water, signaling them to proceed with caution. This bill extends that requirement to apply to when a swimmer is in the water, since often a boater may stop to swim, not just to water ski.
- 5) **For-hire vessels.** The Harbors and Navigation Code defines a “for-hire vessel” as any vessel propelled by machinery carrying more than three passengers for hire. This bill updates the definition to meet federal standards established by the U.S. Coast Guard (USCG), which require that a licensed captain operate any vessel carrying even one passenger for hire.
- 6) **Vessel registration.** In California, vessels are registered in one of two ways: through the USCG and referred to as a documented vessel or through the State of California and referred to as an undocumented vessel. This bill updates provisions relating to vessel registration to make it clear that every vessel shall be registered pursuant to the law.
- 7) **Argument in Support:** According to the *California State Sheriffs’ Association*, the sponsors of this bill, “On behalf of the California State Sheriffs’ Association (CSSA), we are pleased to sponsor Assembly Bill 2055, which would address gaps in enforcement authority, modernize outdated provisions, and strengthen public safety on California waterways. This bill would enact five provisions [...] AB 2055 harmonizes the Harbors and Navigation Code and the Vehicle Code to provide for similar limitations on pretrial diversion and sentencing conformity [...] AB 2055 provides this authority to allow a citation, including in circumstances when the violation is not committed in the officer’s presence [...] AB 2055 adopts the Coast Guard standards specifying that a vessel only needs to carry one or more passengers to be considered a for-hire vessel [...] AB 2055 amends the Ski Flag Law to require the display of a ski flag when there is one or more swimmers in the vicinity of the vessel [...] California should adopt a model similar to Washington State that requires all USCG-documented vessels to also be registered with the state. These vessels are not state-titled but must display a state registration tab, pay minimal registration fees, and are entered into the state system—allowing law enforcement to query them through CLETS.”
- 8) **Argument in Opposition:** None submitted
- 9) **Related Legislation:** None
- 10) **Prior Legislation:** None

REGISTERED SUPPORT / OPPOSITION:**Support**

California State Sheriffs' Association (Sponsor)
San Bernardino County Sheriff's Department

Opposition

None submitted

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