

ASSEMBLY THIRD READING
AB 2055 (Jeff Gonzalez)
As Amended March 16, 2026
Majority vote

SUMMARY

Changes registration and operation specifications of vessels and expands the scope of certain vessel-related penalties.

Major Provisions

- 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) 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.
- 3) Defines a "for-hire vessel" as any vessel propelled by machinery carrying one or more passengers for hire.
- 4) 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.
- 5) 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.

COMMENTS

Citation authority. Under current law (Vehicle Code (VEH) 40600), a peace officer may 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.

Ski flag law. Under Harbors and Navigation Code Section 658.7, boat operators are required 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. However, on lakes and waterways throughout California many recreational boaters frequently stop their vessels to swim. Despite the similar safety risks posed by swimmers in the water, the law does not currently require the display of a ski flag in these situations. Title 14, Section 7009(d) of the California Code of Regulations prohibits displaying a ski flag at any time other than when a skier is down or preparing to ski. As a result, it is technically unlawful to display a ski flag to warn of swimmers in the water, even when doing so would enhance safety.

For-hire vessels. Under Harbors and Navigation Code Section 760, California defines a "for-hire vessel" as any vessel propelled by machinery carrying more than three passengers for hire. This

definition conflicts with 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. The change in "for-hire vessel" definition would ensure additional safety requirements for vessels on California waters.

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. Approximately six years ago, state and local peace officers could easily obtain ownership or registration information for recreational documented vessels (registered through the USCG) by running a query through the National Oceanic and Atmospheric Administration (NOAA) Fisheries, the Maritime Documentation Center, or similar databases. That is no longer the case. Due to privacy restrictions and other factors, deputies and boating officers today cannot access documented vessel information through the California Law Enforcement Telecommunications System (CLETS). They cannot determine whether a vessel has current registration, whether it is stolen, or who the registered owner is.

This leaves most state and local peace officers without a reliable method of quickly obtaining critical information during boating accidents, criminal investigations, enforcement stops, or similar incidents. A local USCG Sector has indicated that officers may call to request information on documented vessels. However, this process is inconsistent, requests may be denied due to verification issues or the volume of repeated inquiries. This process takes a phone call and still may not be approved. As a result, most state and local peace officers have no quick or dependable way to access documented vessel information.

Boating under the influence. The provision in this bill relating to boating under the influence is not under the jurisdiction of this committee. This bill is double referred to the Assembly Public Safety Committee and will be heard in that committee as it relates to their jurisdiction.

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."

Arguments in Support

According to the California Sheriff's 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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "The infraction created by this bill is unlikely to result in significant costs to the courts.

To the extent this bill results in an increase in the number of vessels registering with the Department of Motor Vehicles (DMV), it will create additional workload and, therefore, costs to the DMV; however, those costs should be fully covered by the existing registration and registration renewal fees. "

VOTES

ASM TRANSPORTATION: 16-0-0

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Macedo, Papan, Ransom, Rogers, Sharp-Collins, Ward

ASM PUBLIC SAFETY: 9-0-0

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Bauer-Kahan, Calderon, Caloza, Ellis, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Tangipa

ABS, ABST OR NV: Ta

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