

THIRD READING

Bill No: AB 2055
Author: Jeff Gonzalez (R)
Amended: 8/13/26 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/9/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE TRANSPORTATION COMMITTEE: 12-0, 6/30/26
AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Dahle, Grayson,
Menjivar, Richardson, Seyarto, Valladares, Wiener
NO VOTE RECORDED: Gonzalez

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 69-0, 5/18/26 - See last page for vote

SUBJECT: Vessels: operation: registration

SOURCE: California State Sheriff's Association

DIGEST: This bill 1) 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; 2) makes the failure of a vessel to display a ski flag to indicate a swimmer in the vicinity of the vessel an infraction; 3) changes the definition of a for-hire vessel to any vessel propelled by machinery carrying one or more passengers for hire; and 4) requires registration of all recreational vessels using waters of the state.

ANALYSIS:

Existing law:

- 1) Prohibits a person from using any vessel or manipulate water skis, an aquaplane, or a similar device in a reckless or negligent manner so as to endanger the life, limb, or property of any person. (Harbor (Harb.) & Navigation (Nav.) Code, § 655, subd. (a).)
- 2) Prohibits operating a vessel, water skis, aquaplane, or similar device while under the influence of an alcoholic beverage, a drug, or combination. Prohibits the operation of any of these devices by a person who is addicted to the use of any drug. (Harb. & Nav. Code, § 655, subd. (b)-(f).)
- 3) Creates an infraction punishable by a fine not exceeding \$15 for failure of the operator of a vessel involved in towing a skier to display or cause to be displayed a ski flag to indicate any of the following conditions: 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. (Harb. & Nav. Code, § 658.7, subd. (a).)
- 4) Defines a “for-hire vessel” as any vessel propelled by machinery carrying more than three passengers for hire, except a sea plane on water or a watercraft specifically designed to operate on a permanently fixed course. (Harb. & Nav. Code, § 760.)
- 5) Defines an “undocumented vessel” as any vessel that is not required to have, and does not have, a valid marine document issued by the U.S. Coast Guard or any federal successor agency. (Harb. & Nav. Code, § 651, subd. (ad).)
- 6) 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. (Vehicle (Veh.) Code, § 40600.)
- 7) Requires every undocumented vessel using the waters or on the waters of the state to be currently numbered. Authorizes the Department of Motor Vehicles (DMV) to adopt rules and regulations for the registration of undocumented vessels belonging to the state, local public agencies, or to the U.S. without payment of specified fees, except fees for duplicate certificates of ownership, duplicate certificates of number, or substitute current year registration stickers. (Veh. Code, §§ 9850, 9851.)

- 8) 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.)
- 9) Prohibits a court from staying or suspending proceedings of a case in which a person is charged with operating a vehicle under the influence of alcohol or drugs, or considering dismissal or entertaining dismissal of the proceedings, for attendance or participation in any education, training, or treatment programs. (Veh. Code, § 23640.)

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 that a notice to appear 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 a deposit of bail. Requires that the time specified is at least 10 days after the notice to appear is delivered.
- 4) 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. Exempts public safety activities from the ski flag requirement.
- 5) Defines a "for-hire vessel" as any vessel propelled by machinery carrying one or more passengers for hire.
- 6) Requires, on and after July 1, 2028 and until January 1, 2034, and to the extent permissible under federal law, every recreational vessel using the water or on

the waters of this state to be registered. Requires the owner of a vessel that is required to or that has a valid marine document issued by a federal agency and that is registered to obtain from the department a decal and to display it on the vessel, either within 18 inches of the normal boarding area or on the mast. Requires the owner to apply for the decal if the vessel remains in California waters for more than 60 days and to display the decal if the vessel remains in California waters for more than 90 days. Requires the decal to be visible regardless of whether doors and hatches are open or closed. Prohibits the department from issuing a decal to an owner of a vessel that is larger than a registration sticker issued to an undocumented vessel. Provides that a decal is not registration.

- 7) 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.

Background

Boating under the influence. Existing law prohibits operating a vessel, water skis, aquaplane, or similar device while under the influence of an alcoholic beverage, drug, or combination of alcohol and drugs. (Harb. & Nav. Code, § 655, subd. (b)-(f).) When a person is charged with a DUI for a violation of the Vehicle Code, the court is prohibited from suspending or staying the proceeding, or considering dismissal or entertaining dismissal, for the purpose of allowing the defendant to participate in an education, training, or treatment program. (Veh. Code, § 23640.) This bill applies these provisions to boating under the influence.

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 provides the same authority for peace officers to prepare a written notice to appear for a person operating a vessel.

Ski flag law. Under current law, boat operators are required to display a 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, except as provided.

For-hire vessels. Harbors and Navigation Code section 760 defines a “for-hire vessel” as any vessel propelled by machinery carrying more than three passengers for hire. This bill updates the definition to be consistent with the federal standards established by the U.S. Coast Guard.

Vessel registration. In California, vessels are registered in one of two ways: with the U.S. Coast Guard and referred to as a documented vessel or with the DMV and referred to as an undocumented vessel. This bill updates provisions relating to vessel registration to clarify that every recreational vessel must be registered with the state.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:Yes

According to the Senate Appropriations Committee:

Workload increase of \$175,000 annually to the Department of Parks and Recreation Division of Boating and Waterways resulting from the change in the definition of a for-hire vessel from more than three to one or more (Harbors and Watercraft Revolving Fund).

Minor, absorbable costs to the Commission on Peace Officer Standards and Training (POST). It is the responsibility of the local agency to ensure that their course is POST certified.

The Department of Motor Vehicles would have absorbable costs associated with requiring every vessel using the water or on the waters of California be registered with the state, to the extent permissible under federal law.

SUPPORT: (Verified 8/13/26)

California State Sheriff’s Association (source)
San Bernardino County Sheriff’s Department
The California Baptist Capitol Ministry

OPPOSITION: (Verified 8/13/26)

None received

ASSEMBLY FLOOR: 69-0, 5/18/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Calderon, DeMaio, Dixon, Gallagher, Lee, Quirk-Silva, Celeste Rodriguez, Sanchez, Stefani, Ta, Wicks

Prepared by: Stephanie Jordan / PUB. S. /
8/17/26 10:47:40

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