

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 872

Short Title: Reduce Drowning Risk/Public Docks. (Public)

Sponsors: Representatives Bradford, McNeely, Adams, and Torbett (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Marine Resources and Aquaculture, if favorable, Appropriations, if favorable,
Rules, Calendar, and Operations of the House

April 26, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE INSTALLATION AND USE OF WATER SAFETY RESCUE
3 EQUIPMENT AT PIERS AND PUBLIC WATER ACCESS FACILITIES OWNED BY
4 STATE AGENCIES AND UNITS OF LOCAL GOVERNMENT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 75A of the General Statutes is amended by adding a new
7 Article to read:

8 "Article 1A.

9 "Water Safety Rescue Equipment at Public Docks and Piers.

10 "**§ 75A-19.1. Title.**

11 This Article shall be known as and may be cited as the State Waters Rescue Equipment Act.

12 "**§ 75A-19.2. Definitions.**

13 In addition to the definitions set forth in G.S. 75A-2, the following definitions apply to this
14 Article:

- 15 (1) Access point. – An area of shoreline of a waterbody that is intended to
16 facilitate direct public access to the water.
- 17 (2) Covered water access facility. – A pier or access point that is (i) open to the
18 public and (ii) owned or operated by the Commission, any other State agency,
19 or a unit of local government.
- 20 (3) High-incident drowning area. – An area within 100 feet of a pier or access
21 point where more than one fatal drowning incident has occurred in the span
22 of five years.
- 23 (4) Pier. – A man-made, raised structure extending into waters of this State for
24 use as a landing or mooring place for watercraft or as a promenade or to
25 protect or form a harbor.
- 26 (5) Public rescue equipment. – Includes a range of water rescue devices available
27 for public use in case of emergency, such as ring life buoys, throw bags, rescue
28 tubes, and rescue poles.

29 "**§ 75A-19.3. Public rescue equipment on covered water access facilities.**

30 (a) The owner or operator of a covered water access facility located in or adjacent to
31 waters of this State shall install public rescue equipment, including, at a minimum, ring life buoys
32 meeting the requirements of subsection (c) of this section, on each covered water access facility
33 located in waters of this State. The ring life buoy must not be permanently secured in any way to
34 the station, rack, or pier. Each ring life buoy must be stowed inside a station to protect it from



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1 constant weather exposure. The station must be a bright orange or yellow color for high visibility
2 and to allow for quick access to the ring.

3 (b) The owner or operator of the covered water access facility shall be responsible for the
4 installation and maintenance of the public rescue equipment and shall also provide public
5 education regarding the public rescue equipment.

6 (c) Ring life buoys installed as required by this section must meet the following
7 requirements:

8 (1) The ring life buoy shall meet the requirements of 46 C.F.R. Part 160, Subpart
9 160.050 or 46 C.F.R. Part 160, Subpart 160.150 for SOLAS-approved
10 equipment or successor standards issued by the United States Coast Guard.

11 (2) A buoyant line of at least 100 feet in length with a breaking strength of at least
12 5 kilonewtons must be attached to each ring life buoy. The end of the line must
13 not be secured to the shore or the pier.

14 (3) Each ring life buoy must be marked with type II retroreflective material
15 meeting the requirements of 46 C.F.R. Part 160, Subpart 164.018.

16 (4) Each ring life buoy shall be placed at a distance not to exceed 200 feet from
17 the shoreline at each access point and be available for emergency rescue
18 operations.

19 (5) Each pier shall have a ring life buoy installed with appropriate signage alerting
20 the public to its availability and use."

21 **SECTION 2.** The sum of twenty-five thousand dollars (\$25,000) in nonrecurring
22 funds for the 2023-2024 fiscal year is appropriated from the General Fund to the Wildlife
23 Resources Commission to comply with the requirements of this act and to provide grants of no
24 more than five hundred dollars (\$500.00) to units of local government located in economic tier
25 one areas of the State to comply with the requirements of this act.

26 **SECTION 3.** Section 2 of this act becomes effective July 1, 2023. The remainder of
27 this act is effective when it becomes law.