
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 2055 **Hearing Date:** June 9, 2026
Author: Jeff Gonzalez
Version: March 16, 2026
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Vessels: operation: registration*

HISTORY

Source: California State Sheriff's Association
Prior Legislation: SB 883 (Monning), not heard due to COVID-19, 2020
Support: San Bernardino County Sheriff's Department
Opposition: None known
Assembly Floor Vote: 69 - 0

PURPOSE

The purposes of this bill are to prohibit 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; make the failure of a vessel to display a ski flag to indicate a swimmer in the vicinity of the vessel an infraction; change the definition of a for-hire vessel to any vessel propelled by machinery carrying one or more passengers for hire; and require registration of all vessels using waters of the state.

Existing law 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. (Harb. & Nav. Code, § 655, subd. (a).)

Existing law 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).)

Existing law 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).)

Existing law 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.)

Existing law 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).)

Existing law authorizes a peace officer to arrest 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.)

Existing law 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.)

Existing law 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.)

Existing law 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 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.

This bill 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.

This bill 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.

This bill 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.

This bill defines a “for-hire vessel” as any vessel propelled by machinery carrying one or more passengers for hire.

This bill 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.

This bill 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

1. Need For This Bill

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 is 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

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 would apply those provisions to boating under the influence.

3. Other Boating Law Provisions

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.

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.

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 vessel must be registered with the state.

4. Argument in Support

The San Bernardino County Sheriff’s Department writes:

San Bernardino County presents a unique operational environment, encompassing some of the most heavily utilized recreational waterways in the state, including the Colorado River corridor, Big Bear Lake, Silverwood Lake, and Lake Gregory. Collectively, these waterways attract millions of visitors annually and create complex public safety challenges involving high vessel traffic, mixed recreational use, and a growing rental economy. AB 2055 provides necessary and timely updates to address these realities.

... The current statutory definition of “for-hire vessels” excludes many small-scale rental operations that carry one to three passengers, limiting regulatory oversight of a significant segment of the recreational boating market. AB 2055 appropriately expands this definition to include vessels carrying one or more passengers for hire, closing a critical gap and promoting accountability across the industry.

... Existing law requires ski flags for water skiers but does not adequately address swimmers, who represent a substantial and often less visible hazard. AB 2055’s expansion of ski flag requirements to include swimmers is a commonsense safety improvement that will reduce collisions and improve situational awareness for vessel operators.

This need is equally evident at inland lakes ... where mixed-use recreation including swimmers, paddlecraft, and motorized vessels, occurs in confined spaces. Deputies regularly encounter unsafe proximity situations that could be mitigated through clearer visual signaling requirements. By extending ski flag requirements beyond skier-specific scenarios, AB 2055 enhances preventative safety measures and supports proactive enforcement.

At Big Bear Lake, a major tourism destination, the Department frequently responds to incidents involving rental vessels operated by individuals unfamiliar with California boating laws. AB 2055’s requirement for vessel registration, to the extent permitted under federal law, improves identification and accountability, while its provisions aligning boating under the influence (BUI) cases with

established DUI standards ensure consistent enforcement and strengthen deterrence against impaired operation.

The bill also improves enforcement efficiency by authorizing peace officers to issue notices to appear in connection with boating violations that contribute to vessel accidents. This authority aligns boating enforcement with well-established traffic safety practices, reduces the need for custodial arrests in appropriate cases, and allows deputies to remain available for patrol in large and often remote service areas.

Taken together, AB 2055 reflects a balanced and practical approach to modernizing California's boating laws. It enhances public safety, closes regulatory gaps, strengthens accountability, and supports the operational realities faced by law enforcement agencies serving high-volume recreational waterways.

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