

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 97
HOUSE BILL 241

1 AN ACT TO REQUIRE SKIN DIVERS TO DISPLAY A WARNING FLAG AS APPROVED
2 BY THE UNDERWATER SOCIETY OF AMERICA.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** Chapter 75A of the General Statutes is hereby amended by adding a new
7 section to read as follows:

8 **Section 75A-13.1. Skin and scuba divers.** (a) No person shall engage in skin diving or scuba
9 diving in the waters of this State which are open to boating, or assist in such diving, without
10 displaying a diver's flag from a mast, buoy, or other structure at the place of diving; and no
11 person shall display such flag except when diving operations are under way or in preparation.

12 (b) The diver's flag shall be square, not less than twelve (12) inches on a side, and shall
13 be of red background with a diagonal white stripe, of a width equal to one-fifth (1/5) of the
14 flag's height, running from the upper corner adjacent to the mast downward to the opposite
15 outside corner.

16 (c) No operator of a vessel under way in the waters of this State shall permit such vessel
17 to approach closer than fifty (50) feet to any structure from which a diver's flag is then being
18 displayed, except where such flag is so positioned as to constitute an unreasonable obstruction
19 to navigation; and no person shall engage in skin diving or scuba diving or display a diver's flag
20 in any locality at which the same will unreasonably obstruct vessels from making legitimate
21 navigational use of the water.

22 **Sec. 2.** G.S. 75A-18 is hereby amended by adding a new subsection (c) to read as
23 follows:

24 "(c) Any person who violates any provision of G.S. 75A-13.1 shall be guilty of a
25 misdemeanor and upon conviction thereof shall be fined no more than twenty-five dollars
26 (\$25.00)."

27 **Sec. 3.** This Act shall not apply to New Hanover and Pender Counties.

28 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

29 **Sec. 5.** This Act shall be effective from and after the date of its ratification.

30 In the General Assembly read three times and ratified, this the 19th day of March,

31 1969.