

**235.280 Regulation of use of waters -- Prohibitions related to wakeboats and wakesports.**

- (1) Except as provided in subsection (2) of this section, the commissioner of the department, with approval of the Department of Fish and Wildlife Resources Commission, shall promulgate administrative regulations in accordance with KRS Chapter 13A to govern the fair, reasonable, equitable, and safe use of all waters of this state and otherwise to carry out the purposes of this chapter.
- (2) Notwithstanding any provision of law to the contrary, the department shall not promulgate or enforce any administrative regulation that:
  - (a) Prohibits, restricts, or limits using wakeboats or engaging in wakesports on bodies of water where wakeboats were allowed to engage in wakesports as of December 1, 2025; or
  - (b) Imposes a wakeboat zone or prescribes mandatory setbacks or distances from shorelines, commercial docks, or moorage harbors.
- (3) As used in this section:
  - (a) "Hydrofoil" means a vessel that consists of a board fitted with a mast extending below the board that is attached to a fuselage with a forward wing and a rear stabilizer;
  - (b) "Wakeboat" means a motorboat that has one (1) or more ballast tanks, ballast bags, or other devices or design features that increase the size of the motorboat's wake; and
  - (c) "Wakesports" means operating a wakeboat or to use a surfboard, wakeboard, hydrofoil, or similar device to ride on or ride in the wake of the wakeboat.

**Effective:** April 10, 2026

**History:** Amended 2026 Ky. Acts ch. 93, sec. 7, effective April 10, 2026. -- Amended 1998 Ky. Acts ch. 23, sec. 9, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 118, sec. 5, effective July 15, 1994. -- Amended 1982 Ky. Acts ch. 446, sec. 6, effective April 12, 1982. -- Amended 1980 Ky. Acts ch. 295, sec. 80, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 292, sec. 20. -- Amended 1962 Ky. Acts ch. 291, sec. 1. -- Created 1960 Ky. Acts ch. 68, Art. VIII. sec. 30.