



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 699

Assembly Amendments 1 and 2

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2015 ASSEMBLY BILL 699

Assembly Bill 699 prohibits the operator of a recreational vessel from carrying a passenger who is under age 13 unless, during all times when the vessel is underway, the passenger is wearing a properly fitting personal flotation device approved by the U.S. Coast Guard or the passenger remains below deck or in an enclosed cabin.

Under current law, the penalty that would apply to a violation of this prohibition is a forfeiture of up to \$500 for the first offense and a forfeiture of up to \$1,000 upon conviction of the same offense a second or subsequent time within one year. In addition, any person who violates this prohibition would be required to obtain a certification of completion of a boating safety course. If the person already has a certificate at the time the court imposes sentence, the court must permanently revoke that certificate and order the person to obtain a new certificate.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 removes the requirement that the personal flotation device be one that is approved by the U.S. Coast Guard.

The amendment adds a new provision which specifies that the penalty for violating the prohibition in the bill is a forfeiture of up to \$50 for a first violation and a forfeiture of up to \$100 for a second or subsequent violation. In addition, the amendment specifies that a person who violates the bill's prohibition is not subject to the safety certificate revocation provisions in current law.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 specifies that the forfeitures under the bill are exempt from additional court costs and surcharges.

BILL HISTORY

Assembly Amendments 1 and 2 were offered by Representative A. Ott. On February 16, 2016, the Assembly Committee on Environment and Forestry recommended adoption of the amendments on votes of Ayes, 12; Noes, 0, and recommended passage of the bill, as amended, by a vote of Ayes, 10; Noes, 3.

LAK:jal