



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 597	Senate Amendment 1
<i>Memo published: February 12, 2016</i>	<i>Contact: Rachel Letzing, Principal Attorney (266-3370)</i>

2015 SENATE BILL 597

Senate Bill 597 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.

SENATE AMENDMENT 1

Senate 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.

BILL HISTORY

Senate Amendment 1 was offered by Senator Petrowski on February 10, 2016. On February 11, 2016, the Senate Committee on Natural Resources and Energy recommended adoption of the amendment on a vote of Ayes, 5; Noes, 0, and recommended passage of the bill, as amended, by the same vote.

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