



2009 SENATE BILL 162

April 8, 2009 – Introduced by Senators SULLIVAN, TAYLOR, LEHMAN, COWLES, LASSA, RISSER, WIRCH and MILLER, cosponsored by Representatives CLARK, STASKUNAS, HEBL, ZIGMUNT, JORGENSEN, PETROWSKI, PASCH, BERCEAU, TOWNSEND, SMITH, A. OTT, HRAYCHUCK, STEINBRINK, CULLEN and ZEPNICK. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 **AN ACT** *to renumber and amend* 30.62 (3) (a); and *to create* 30.62 (3) (ag) and
2 30.62 (3) (c) of the statutes; **relating to:** requiring that personal flotation
3 devices be worn by certain underage persons in certain boats.

Analysis by the Legislative Reference Bureau

Under current law, each boat must have on it a personal flotation device for each person riding in or on the boat. Under this bill, a person may not operate a recreational boat that is less than 26 feet in length unless, during the time the boat is under way, every person on the boat who is 12 years old or younger is wearing a personal flotation device or is in a cabin space or below the deck.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 30.62 (3) (a) of the statutes is renumbered 30.62 (3) (ar) and
5 amended to read:

6 30.62 (3) (ar) Every boat, except a sailboard and except as provided in par. (b),
7 shall carry at least one personal flotation device prescribed by federal regulations for

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1 each person on board or being attended by the boat, and, except as provided in pars.
2 (b) and (c), the personal flotation devices shall be so placed as to be readily accessible
3 and available to the persons.

4 **SECTION 2.** 30.62 (3) (ag) of the statutes is created to read:

5 30.62 (3) (ag) In this subsection, “recreational boat” means a boat that is being
6 used for pleasure.

7 **SECTION 3.** 30.62 (3) (c) of the statutes is created to read:

8 30.62 (3) (c) No person may operate a recreational boat that is less than 26 feet
9 in length and that is under way unless each person on the recreational boat who is
10 12 years of age or younger is wearing a personal flotation device or is in a cabin space
11 or below the deck. The personal flotation device shall be a type I, type II, type III,
12 or type V personal flotation device as specified under 33 CFR part 175, subpart B.
13 A recreational boat is under way if it is not aground, is not anchored or moored, and
14 is not made fast to a structure or to the shore.

15 **SECTION 4. Effective date.**

16 (1) This act takes effect on May 1, 2010, or on the day after publication,
17 whichever is later.

18 (END)