2001 ASSEMBLY BILL 669

December 3, 2001 – Introduced by Joint Legislative Council. Referred to Committee on Natural Resources.

- 1 AN ACT *to amend* 30.62 (3) (a); and *to create* 30.62 (3) (c) of the statutes;
- **relating to:** requiring that personal flotation devices be worn by certain
- 3 underaged 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, each person 16 years old or younger who is riding in a boat that is less than 26 feet in length must wear a personal flotation device while the boat is being operated unless he or she is in a cabin space or below the deck.

For further information, see the Notes provided by the joint legislative council in the bill.

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:

Prefatory note: This bill is recommended by the joint legislative council's special committee on recodification of operating while intoxicated and safety laws pertaining to motor vehicle, all—terrain vehicle, boat and snowmobile operation. The special committee was directed to study current statutes relating to operating a vehicle while under the influence of an intoxicant or drug and to reorganize, simplify, modernize and clarify these

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statutes and make minor substantive changes necessary to effect these goals. In addition, the special committee was directed to study, with respect to an all–terrain vehicle, a boat or a snowmobile, whether enforcement mechanisms need to be increased or created to ensure compliance with the law.

Current law generally provides that every boat must carry at least one personal flotation device prescribed by federal regulations for each person on board or being attended by the boat. The flotation devices must be placed so as to be readily accessible and available to all persons on the boat.

This bill prohibits a person who is under the age of 16 from riding in a boat that is less than 26 feet in length without wearing a personal flotation device unless the person is in a cabin space or below the deck.

SECTION 1. 30.62 (3) (a) of the statutes is amended to read:

30.62 **(3)** (a) Every boat, except a sailboard and except as provided in par. pars.

(b) <u>and (c)</u>, shall carry at least one personal flotation device prescribed by federal regulations for each person on board or being attended by the boat, so placed as to

be readily accessible and available to the persons.

SECTION 2. 30.62 (3) (c) of the statutes is created to read:

30.62 **(3)** (c) No person who is under the age of 16 may be in a boat that is less than 26 feet in length while the boat is being operated without wearing a personal flotation device that is a type I, type II, type III, or type V personal flotation device, as specified under 33 CFR part 175, subpart B, unless the person is in a cabin space or below the deck.

12 (END)