



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Bill 162**

**The Bill as Amended and  
Passed by the Senate**

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### **CURRENT LAW**

Under current law, each boat must have on it a personal flotation device for each person riding in or on the boat.

### **2009 SENATE BILL 162, AS AMENDED AND PASSED BY THE SENATE**

Under 2009 Senate Bill 162, as amended and passed by the Senate (“the 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 10 years old or younger is wearing** a personal flotation device (PFD) or is in a cabin space or below the deck.

The bill provides a specific penalty for a violation of this PFD requirement by the operator of the specified recreational boat. Any person violating this mandatory PFD provision must be issued a **warning notice** instead of a violation for the **first offense**. Any person subsequently violating the mandatory PFD provision must forfeit not more than **\$50 for the second offense** and must forfeit **not more \$100 upon conviction of a third or subsequent offense**.

The bill, if enacted into law, would take effect on May 1, 2010, or on the day after enactment, whichever is later.

### **Legislative History**

On October 20, 2009, the Senate passed the bill, as amended by Senate Amendments 1 and 2. Adoption of the amendments and passage of the bill were all on voice votes.

DLS:jal