

2011 DRAFTING REQUEST

Bill

Received: 10/05/2011

Received By: mglass

Wanted: As time permits

Companion to LRB:

For: Jessica King (608) 266-5300

By/Representing: Brandon Strand

May Contact:

Drafter: mglass

Subject: Nat. Res. - boats snomos ATVs

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.King@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Use of personal flotation devices

Instructions:

Same as 2009 SB 162

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 10/05/2011	jdye 10/05/2011		_____			
/1			jfrantze 10/05/2011	_____	mbarman 10/05/2011		
/2	mglass 12/16/2011 mglass 01/18/2012	jdye 12/19/2011 jdye 01/18/2012	rschlue 12/19/2011	_____	mbarman 12/19/2011	mbarman 01/18/2012	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3			rschluet 01/18/2012	_____	ggodwin 01/18/2012	ggodwin 01/18/2012	

FE Sent For:

<END>

None

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*for 13,
same as 11*

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/1		<i>3/18 jld</i>	jfrantze 10/05/2011	_____	mbarman 10/05/2011		<i>JACKET 13 IMMEDIATELY</i>
/2	mglass 12/16/2011	jdyer 12/19/2011	rschluet 12/19/2011	_____	mbarman 12/19/2011	mbarman 01/18/2012	

FE Sent For:

11/12

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Wanted: As time permits

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For: Jessica King (608) 266-5300

By/Representing: Brandon Strand

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1?	mglass	10/5 jld	10/5	10/5			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Strand, Brandon
Sent: Friday, September 09, 2011 11:33 AM
To: Gibson-Glass, Mary
Subject: Bill draft request

MGG:

Can we please get a redraft of 2009 SB 162 relating to: requiring that personal flotation devices be worn by certain underage persons in certain boats? Please and thank you!

Brandon Strand
Senator Jessica King
(608) 266-5300

wants original bill



State of Wisconsin
2009 - 2010 LEGISLATURE
11 12

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9/12

RM not R

2868/1

LRB-18267

MGC:Rif:rd

jld

2011
2009 SENATE BILL 162

LPS
PWF

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.

X

Regen

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

SENATE BILL 162**SECTION 1**

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.

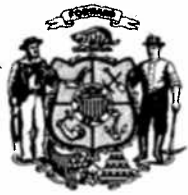
7 **SECTION 3.** 30.62 (3) (c) of the statutes is created to read:

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, 20~~09~~¹², or on the day after publication,
17 whichever is later.

18 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE

today



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310311

LRB-2868/1
MGG:jld:rs

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2011 BILL

✓

Regen

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. ✓

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
8 each person on board or being attended by the boat, and, except as provided in pars.

BILL

1 (b) and (c), the personal flotation devices shall be so placed as to be readily accessible
2 and available to the persons.

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

4 30.62 (3) (ag) In this subsection, "recreational boat" means a boat that is being
5 used for pleasure.

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

7 30.62 (3) (c) No person may operate a recreational boat that is less than 26 feet
8 in length and that is under way unless each person on the recreational boat who is
9 12 years of age or younger is wearing a personal flotation device or is in a cabin space
10 or below the deck. The personal flotation device shall be a type I, type II, type III,
11 or type V personal flotation device as specified under 33 CFR part 175, subpart B.
12 A recreational boat is under way if it is not aground, is not anchored or moored, and
13 is not made fast to a structure or to the shore.

14 **SECTION 4. Effective date.**

15 (1) This act takes effect on May 1, 2012, or on the day after publication,
16 whichever is later.

17 (END)

Gibson-Glass, Mary

From: Strand, Brandon
Sent: Thursday, December 01, 2011 9:10 AM
To: Gibson-Glass, Mary
Subject: FW: Flotation Device Bill

Mary:

Our office has been working with the product safety manager at Merc Marine on LRB 3103/1 that you drafted for us. They had some additional ideas and I was hoping you could incorporate their changes to the bill and we can get a redraft. The suggestions are listed below. Please let me know if you have any questions. Thank you in advance!

Brandon Strand
 Senator Jessica King
 (608) 266-5300

From: Pete Chisholm [mailto:Pete_Chisholm@mercmarine.com]
Sent: Thursday, December 01, 2011 8:31 AM
To: Strand, Brandon
Subject: Re: Flotation Device Bill

Brandon,

I have had several conversations with the DNR folks about the Wisconsin law related to tow sports and the lack of lifejackets. I have included the Wisconsin statutes here with appropriate modifications to include a life jacket requirement. I am not sure how you list the changes in the potential bill, so I have included all of the section for reference.

As far as the original bill, I have no issues with the language on that part.

My philosophy is if we are going for a rule change, lets fix the whole thing, not just the child requirement. As we have spoken, it just seems completely wrong to have mandatory wear laws on PWC's , yet engaging in an activity on a tow rope where falls at speed are expected have no requirement.

Be happy to discuss further, and appear in Madison in support of the effort as needed.

Pete

30.62(3) Personal flotation devices.

(a) Every boat, except a sailboard and except as provided in par. (b) **and (c)**, 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.

(b) No person may operate a personal watercraft unless each person riding on the personal watercraft is 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.

(c) A person being towed by or riding in the wake of a motor boat, such as engaging in water skiing, aquaplaning, parasailing, wake surfing, tubing or any similar activity, shall wear a non inflatable type I,

type II, type III, or type V personal flotation device as specified under 33 CFR part 175, subpart B.

30.69 Water skiing.

(1) Prohibited at certain times; exceptions.

(a) Except as provided in par. (b), no person may operate a motorboat towing a person on water skis, aquaplane, **parasail, wake board, tube** or similar device unless all the following apply:

1. there is in the boat a competent person in addition to the operator in a position to observe the progress of the person being towed. An observer shall be considered competent if that person can in fact observe the person being towed and relay any signals to the operator. This observer requirement does not apply to motorboats classified as Class A motorboats by the department actually operated by the persons being towed and so constructed as to be incapable of carrying the operator in or on the motorboat.

2. **the person being towed is wearing a non inflatable type I, type II, type III, or type V personal flotation device as specified under 33 CFR part 175, subpart B.** *Repetitive*

3. No person may engage in water skiing, aquaplaning or similar activity, at any time from sunset to sunrise. This restriction of the hours of water skiing does not prevent restrictions of the hours of water skiing between sunrise and sunset by local ordinances enacted pursuant to s. 30.77 (3).

(b) Paragraph (a) does not apply to duly authorized water ski or similar type tournaments, competitions, exhibitions or trials therefor, where adequate lighting is provided.

(c) In addition to complying with par. (a), no person may operate a personal watercraft that is towing a person who is on water skis, an aquaplane, **parasail, wake board, tube** or similar device unless the personal watercraft is designed to seat at least 3 persons.

(2) Careful and prudent operation. A person operating a motorboat having in tow a person on water skis, aquaplane, **parasail, wake board, tube** or similar device shall operate such boat in a careful and prudent manner and at a reasonable distance from persons and property so as not to endanger the life or property of any person.

(3) Restrictions.

(a) No person operating a motorboat that is towing persons engaged in water skiing, aquaplaning, **parasailing, wake surfing, tubing** or similar activity may operate the motorboat within 100 feet of any occupied anchored boat, any personal watercraft or any marked swimming area or public boat landing.

(b) No person who is engaged in water skiing, aquaplaning, **parasailing, wake surfing, tubing** or similar activity may get within 100 feet of a personal watercraft or allow the tow rope while in use to get within 100 feet of a personal watercraft.

(c) No person may operate a personal watercraft within 100 feet of any of the following:

1. A motorboat towing a person who is engaged in water skiing, aquaplaning, **parasailing, wake surfing, tubing** or similar activity.

2. The tow rope of a motorboat towing a person who is engaged in water skiing, aquaplaning, **parasailing, wake surfing, tubing** or similar activity.

3. A person who is engaged in water skiing, aquaplaning, **parasailing, wake surfing, tubing** or similar activity.

(d) Paragraphs (a) to (c) do not apply to pickup or drop areas that are marked with regulatory markers and that are open to operators of personal watercraft and to persons and motorboats engaged in water skiing, **aquaplaning, parasailing, wake surfing, tubing** or similar activity.

Peter Chisholm
Product Safety Manager

(920) 929-5391
Cell (920) 539-3350



RMR

Mon
if possible

2011 BILL

✓ and by persons who are being towed
for purposes of water sports

X Regen

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.

(PFD)

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.

INSERT ANL ✓

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

← INSERT 1-4 ✓

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
8 each person on board or being attended by the boat, and, except as provided in pars.

BILL

and

and s. 30.69(1r)

1

(b) ~~and~~ (c) the personal flotation devices shall be so placed as to be readily accessible

2

and available to the persons.

3

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

4

30.62 (3) (ag) In this subsection, "recreational boat" means a boat that is being

5

used for pleasure.

6

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

7

30.62 (3) (c) No person may operate a recreational boat that is less than 26 feet

8

in length and that is under way unless each person on the recreational boat who is

9

12 years of age or younger is wearing a personal flotation device or is in a cabin space

10

or below the deck. The personal flotation device shall be a type I, type II, type III,

11

or type V personal flotation device as specified under 33 CFR part 175, subpart B.

12

A recreational boat is under way if it is not aground, is not anchored or moored, and

13

is not made fast to a structure or to the shore.

← INSERT 2-13 ✓

14

SECTION 4. Effective date.

15

(1) This act takes effect on May 1, 2012, or on the day after publication,

16

whichever is later.

17

(END)

Insert ANL

* *
40
4 The bill also prohibits a person from water skiing or participating in a similar water sport, such as parasailing, unless he or she is wearing a PFD and prohibits a motorboat operator from towing a skier or other water sport participant unless the skier or participant is wearing a PFD. ✓

1 **Insert 1-4**

2 **SECTION 1.** 30.50 (13) of the statutes is created to read:

3 30.50 (13) In this paragraph, "water sport" means water skiing, aquaplaning,
4 parasailing, wake surfing, riding a tube, or any similar activity. ✓

5 **Insert 2-13**

6 **SECTION 2.** 30.66 (3) (c) of the statutes is amended to read:

7 30.66 (3) (c) Paragraphs (a) to (b) do not apply to pickup or drop areas that are
8 marked with regulatory markers and that are open to operators of personal
9 watercraft and to persons and motorboats engaged in water skiing or similar activity
10 water sports.

11 History: 1973 c. 302; 1981 c. 303; 1991 a. 257; 1997 a. 106; 2009 a. 31.

11 **SECTION 3.** 30.68 (2) of the statutes is amended to read:

12 30.68 (2) NEGLIGENT OPERATION. No person may operate or use any boat, or
13 ~~manipulate any water skis, aquaplane or similar device~~ or engage in a water sport ✓
14 upon the waters of this state in a careless, negligent, or reckless manner so as to
15 endanger that person's life, property or person or the life, property or person of
16 another.

17 History: 1971 c. 40 s. 93; 1971 c. 219; 1973 c. 302; 1975 c. 2, 39; 1983 a. 459; 1985 a. 146 s. 8; 1985 a. 243, 331; 1991 a. 257, 316; 1993 a. 236; 1997 a. 198; 2005 a. 308, 356.

17 **SECTION 4.** 30.68 (5) of the statutes is amended to read:

18 30.68 (5) OPERATING IN CIRCULAR COURSE. No person may operate a motorboat
19 repeatedly in a circuitous course around any other boat, or around any person who



INS
2-13 cont

1 is swimming, if such circuitous course is within 200 feet of such boat or swimmer; ~~nor~~
 2 shall any ⁹ ~~No boat or water skier operate or approach closer than may be operated~~
 3 within 100 feet to of any skin diver's flag or any swimmer unless the boat is part of
 4 the skin diving operation or is accompanying the swimmer, or unless physical check Δ
 5 conditions make compliance impossible. No person being towed for purposes of
 6 water sport may be within 100 feet ^{e of} ~~or any skin diver's flag or any swimmer unless~~
 7 physical conditions make compliance impossible.

History: 1971 c. 40 s. 93; 1971 c. 219; 1973 c. 302; 1975 c. 22, 39; 1983 a. 459; 1985 a. 146 s. 8; 1985 a. 243, 331; 1991 a. 257, 316; 1993 a. 236; 1997 a. 198; 2005 a. 308, 356.

SECTION 5. 30.69 (title) of the statutes is amended to read:

30.69 (title) **Water skiing and other water sports.**

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 316; 1993 a. 437; 2009 a. 31.

SECTION 6. 30.69 (1r) of the statutes is created to read:

30.69 (1r) **USE OF PERSONAL FLOTATION DEVICES, DUTY OF WATER SPORT PARTICIPANT.**

A person being towed for purposes of a water sport shall wear a non-inflatable
 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.

SECTION 7. 30.69 (1) (title) of the statutes is amended to read:

30.69 (1) (title) **PROHIBITED AT CERTAIN TIMES; EXCEPTIONS OBSERVERS REQUIRED;**

USE OF PERSONAL WATERCRAFT.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

FIX → SECTION 8. 30.69 (1) (a) of the statutes is ~~renumbered 30.69 (1) (a) and~~ amended
 component to read:

30.69 (1) (a) Except as provided in par. (b), no person may operate a motorboat
 towing a person on water skis, aquaplane or similar device who is engaged in a water
sport unless there is in the boat motorboat a competent person in addition to the
 operator in a position to observe the progress of the person being towed. An observer



INSERT
(MOVE TO P. 4
OF INSERTS)

INS
2-13 cont

1 shall be considered competent if that person can in fact observe the person being
2 towed and relay any signals to the operator. This observer requirement does not
3 apply to motorboats classified as Class A motorboats by the department that are
4 actually operated by the persons being towed and so constructed as to be incapable
5 of carrying the operator in or on the motorboat. No

6 (ag) Except as provided in par. (b), no person may engage in water skiing,
7 aquaplaning or similar activity, engage in a water sport at any time from sunset to
8 sunrise. This restriction of the hours of water skiing does not prevent restrictions
9 of the hours of water skiing on water sports during the period ^{plain} between sunrise and
10 sunset that are imposed by local ordinances enacted pursuant to s. 30.77 (3).

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

11 SECTION 9. 30.69 (1) (b) of the statutes is amended to read:

12 30.69 (1) (b) Paragraph Paragraphs (a) does and (ag) ^{do} not apply to duly
13 authorized water ski sport tournaments, competitions, exhibitions or trials therefor,
14 where adequate lighting is provided.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

15 SECTION 10. 30.69 (1) (c) of the statutes is amended to read:

16 30.69 (1) (c) In addition to complying with ^{strike} ~~par. pars.~~ (a) and (ag), no person may
17 operate a personal watercraft that is towing a person who is ~~on water skis, an~~
18 ~~aquaplane or similar device~~ engaged in a water sport unless the personal watercraft
19 is designed to seat at least 3 persons.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

20 SECTION 11. 30.69 (1g) of the statutes is created to read:

21 30.69 (1g) USE OF PERSONAL FLOTATION DEVICES; DUTY OF MOTORBOAT OPERATOR. No
22 person may operate a motorboat towing a person who is engaged in a water sport
23 unless the person is wearing non-inflatable personal flotation device that is a type



1 I, type II, type III, or type V personal flotation device as specified under 33 CFR part
2 175, subpart B.

3 → INSERT J ←
SECTION 12. 30.69 (2) of the statutes is amended to read:

4 30.69 (2) CAREFUL AND PRUDENT OPERATION. A person operating a motorboat
5 having in tow a person ~~on water skis, aquaplane or similar device~~ engaged in a water
6 sport shall operate such boat in a careful and prudent manner and at a reasonable
7 distance from persons and property so as not to endanger the life or property of any
8 person.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

9 SECTION 13. 30.69 (3) (title) of the statutes is amended to read:

10 30.69 (3) (title) RESTRICTIONS REGARDING PROXIMITY.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

11 SECTION 14. 30.69 (3) (a) of the statutes is amended to read:

12 30.69 (3) (a) No person operating a motorboat that is towing persons engaged
13 in ~~water skiing, aquaplaning or similar activity~~ a person engaged in a water sport
14 may operate the motorboat within 100 feet of any occupied anchored boat, any
15 personal watercraft or any marked swimming area or public boat landing.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

16 SECTION 15. 30.69 (3) (b) of the statutes is amended to read:

17 30.69 (3) (b) No person who is being towed for purposes of a engaged in water
18 ~~skiing, aquaplaning or similar activity~~ water sport may get within 100 feet of a
19 personal watercraft or allow the tow rope while in use to get within 100 feet of a
20 personal watercraft.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

21 SECTION 16. 30.69 (3) (c) 1. of the statutes is amended to read:

22 30.69 (3) (c) 1. A motorboat towing a person who is engaged in ~~water skiing,~~
23 ~~aquaplaning or similar activity~~ a water sport.

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.



INS
2-13 cont

1 SECTION 17. 30.69 (3) (c) 2. of the statutes is amended to read:

2 30.69 (3) (c) 2. The tow rope of a motorboat towing a person who is engaged in
3 ~~water skiing, aquaplaning or similar activity~~ a water sport. ✓

4 History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

4 SECTION 18. 30.69 (3) (c) 3. of the statutes is amended to read:

5 30.69 (3) (c) 3. A person who is engaged in ~~water skiing, aquaplaning or similar~~
6 ~~activity~~ being towed for purposes of a water sport. ✓
plain

7 History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

7 SECTION 19. 30.69 (3) (d) of the statutes is amended to read:

8 30.69 (3) (d) Paragraphs (a) to (c) do not apply to pickup or drop areas that are
9 marked with regulatory markers and that are open to operators of personal
10 watercraft and to persons and motorboats engaged in ~~water skiing or similar activity~~ ✓
11 water sports.

12 History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

12 SECTION 20. 30.69 (4) of the statutes is amended to read:

13 30.69 (4) INTOXICATED OPERATION. No person who is being towed by a motorboat
14 ~~may use water skis, an aquaplane or a similar device~~ engage in a water sport ✓ while
15 under the influence of an intoxicant to a degree which renders him or her incapable
16 of ~~being~~ safely using ~~water skis, an aquaplane or a similar device~~ engaged in the
17 water sport, or under the combined influence of an intoxicant and any other drug to
18 a degree which renders him or her incapable of ~~being~~ safely using ~~water skis, an~~
19 ~~aquaplane or a similar device~~ engaged in the water sport. ✓
plain

History: 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437; 2009 a. 31.

(end ins 2-13)

Gibson-Glass, Mary

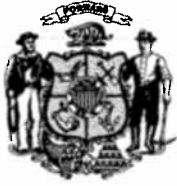
From: Strand, Brandon
Sent: Wednesday, January 18, 2012 11:21 AM
To: Gibson-Glass, Mary
Subject: LRB 3103/1
Attachments: Flotation Device Bill 31031.pdf

Mary:

We have circulated a co-sponsorship memo for this bill but I can't find the LRB jacket. Can you resend it to us or should I contact somebody at LRB Legal? I'm not sure how that whole process works. Thanks for your help in advance.

Brandon Strand
Senator Jessica King
(608) 266-5300

Jacket the "1/2"
version per
MGG
01-18-2012



State of Wisconsin
2011 - 2012 LEGISLATURE

LPS - FROM 2011

LRB-3103/1



LRB-3103/Y
MGG:jld:jf

3 R Not R

today

(note: "1/3" is same as "1")

2011 BILL

X

Regen

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.

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
8 each person on board or being attended by the boat, and, except as provided in pars.

BILL

1 (b) and (c), the personal flotation devices shall be so placed as to be readily accessible
2 and available to the persons.

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

4 30.62 (3) (ag) In this subsection, "recreational boat" means a boat that is being
5 used for pleasure.

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

7 30.62 (3) (c) No person may operate a recreational boat that is less than 26 feet
8 in length and that is under way unless each person on the recreational boat who is
9 12 years of age or younger is wearing a personal flotation device or is in a cabin space
10 or below the deck. The personal flotation device shall be a type I, type II, type III,
11 or type V personal flotation device as specified under 33 CFR part 175, subpart B.
12 A recreational boat is under way if it is not aground, is not anchored or moored, and
13 is not made fast to a structure or to the shore.

14 **SECTION 4. Effective date.**

15 (1) This act takes effect on May 1, 2012, or on the day after publication,
16 whichever is later.

17 (END)