

Legislative Analysis



PERSONAL FLOTATION DEVICES FOR CHILDREN 12 AND UNDER

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Senate Bill 703 as passed by the Senate
Sponsor: Sen. Michelle A. McManus
Senate Committee: Natural Resources and Environmental Affairs
House Committee: Great Lakes and Tourism

Complete to 2-25-04

A SUMMARY OF SENATE BILL 703 AS REPORTED BY THE HOUSE COMMITTEE ON GREAT LAKES AND TOURISM 2-24-04

The bill would amend Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to permit, for five years, children aged 12 and under to wear a Type III personal flotation device (PFD) when riding on or being towed behind a personal watercraft. Also, the bill would delay the scheduled repeal of Part 802 from March 23, 2004, to March 23, 2012.

Currently, a person cannot operate a personal watercraft in Michigan unless children under 12 who are riding on or being towed behind it are wearing a Type I or Type II PFD. Those aged 12 and over must wear a Type I, Type II, or Type III PFD. The bill would prohibit a person from operating a personal watercraft unless all people riding on or being towed behind it were wearing a Type I, Type II, or Type III PFD, until five years after the bill's effective date. After five years, the current provisions again would apply (i.e., a Type III PFD would not be allowed for children under 12).

The Department of Natural Resources would have to prepare and submit to the legislature an annual accident report on the use of personal watercraft, the types of personal flotation devices that were being used, and the injuries that resulted.

(The Administrative Code (R 281.1234) defines Type I and Type II personal flotation devices as those designed to turn an unconscious person in the water from a face-down position to a vertical or slightly backward position. A Type I PFD has more than 20 pounds of buoyancy; a Type II, at least 15.5 pounds of buoyancy. A Type III PFD is designed to keep a conscious person in a vertical or slightly backward position and to have at least 15.5 pounds of buoyancy.)

MCL 324.80205

FISCAL IMPACT:

The bill would require no additional funding for the Department of Natural Resources and would have no fiscal impact on local units of government.

POSITIONS:

The Department of Natural Resources has indicated support for the bill. (2-24-04)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.