
By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Natural Resources)

Introduced and read first time: February 7, 2001

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Personal Flotation Devices - Mandatory Wear**

3 FOR the purpose of prohibiting, under certain circumstances, the operation of a
4 vessel if a child under a certain age is on board, unless the child is wearing a
5 personal flotation device; defining certain terms; and generally relating to the
6 wearing of a personal flotation device by a child aboard a vessel.

7 BY adding to

8 Article - Natural Resources

9 Section 8-743

10 Annotated Code of Maryland

11 (2000 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Natural Resources**

15 8-743.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) "CHILD" MEANS AN INDIVIDUAL UNDER THE AGE OF 7 YEARS.

19 (3) "PERSONAL FLOTATION DEVICE" MEANS A TYPE I, II, III, OR V U.S.
20 COAST GUARD APPROVED PERSONAL FLOTATION DEVICE THAT IS:

21 (I) THE PROPER SIZE FOR THE CHILD; AND

22 (II) IN GOOD AND SERVICEABLE CONDITION.

23 (4) "VESSEL" MEANS:

24 (I) A VESSEL USED FOR RECREATIONAL PURPOSES; OR

1 (II) A VESSEL LEASED, RENTED, OR CHARTERED FOR
2 NONCOMMERCIAL USE.

3 (5) "VESSEL" DOES NOT INCLUDE A VESSEL CARRYING PASSENGERS FOR
4 HIRE UNDER THE COMMAND OF AN INDIVIDUAL LICENSED BY THE U.S. COAST
5 GUARD TO CARRY PASSENGERS FOR HIRE, OR A VESSEL DISPLAYING A VALID
6 SEAFOOD HARVESTER'S LICENSE NUMBER WHILE ENGAGED IN THE HARVESTING OF
7 SEAFOOD FOR SALE.

8 (B) A PERSON MAY NOT OPERATE OR PERMIT THE OPERATION OF A VESSEL
9 UNDER 21 FEET IN LENGTH WHILE THERE IS PRESENT IN THE VESSEL A CHILD NOT
10 WEARING A PERSONAL FLOTATION DEVICE WHICH IS SECURELY AND PROPERLY
11 ATTACHED TO THE CHILD.

12 (C) SUBSECTION (B) DOES NOT APPLY TO:

13 (1) A VESSEL THAT IS MOORED OR ANCHORED; OR

14 (2) A CHILD WHO IS BELOW DECK OR IN AN ENCLOSED CABIN.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
16 effect June 1, 2001.