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

Introduced and read first time: February 7, 2001

Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, February 14, 2001

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2001

CHAPTER 429

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.

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

- 3 (I) THE PROPER SIZE FOR THE CHILD; AND
4 (II) IN GOOD AND SERVICEABLE CONDITION.

5 (4) "VESSEL" MEANS:

- 6 (I) A VESSEL USED FOR RECREATIONAL PURPOSES; OR
7 (II) A VESSEL LEASED, RENTED, OR CHARTERED FOR
8 NONCOMMERCIAL USE.

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

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

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

- 19 (1) A VESSEL THAT IS MOORED OR ANCHORED; OR
20 (2) A CHILD WHO IS BELOW DECK OR IN AN ENCLOSED CABIN.

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