

1 HB349
2 136418-1
3 By Representatives Faust, McMillan, Shiver, Grimsley, Drake,
4 Brown, Mask, Davis, Gaston and Fincher
5 RFD: Public Safety and Homeland Security
6 First Read: 16-FEB-12

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8 SYNOPSIS: Under existing law, all persons under eight
9 years of age on board any vessel or boat of any
10 kind on state waters must wear a United States
11 Coast Guard approved personal flotation device.

12 This bill would increase the age requirement
13 to provide that a person under thirteen years of
14 age on board any vessel or boat of any kind on
15 state waters must wear a personal flotation device.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To amend Section 33-5-69, Code of Alabama 1975, to
22 require the use of a United States Coast Guard Approved
23 personal flotation device for all persons under thirteen years
24 of age on board a vessel or boat on state waters.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 33-5-69, Code of Alabama 1975, is
27 amended to read as follows:

1 "§33-5-69.

2 "(a) All persons under ~~eight~~ 13 years of age on
3 board any vessel or boat of any kind on the waters of this
4 state shall at all times wear a United States Coast Guard
5 approved wearable personal flotation device of proper size for
6 the person, except that no personal flotation device shall be
7 required for any person who is inside of an enclosed cabin or
8 enclosed sleeping space regardless of whether the vessel is in
9 operation.

10 "(b) Any personal flotation devices required in this
11 section shall be strapped, snapped, or zippered securely and
12 maintained in good condition at all times they are required to
13 be worn.

14 "(c) Any person who fails to require or permits any
15 person under their legal custody or control to fail to comply
16 with, the requirements of this section, shall be guilty of a
17 Class B misdemeanor, and upon conviction is punishable as
18 provided in Sections 13A-5-7 and 13A-5-12. Any person so
19 convicted shall be fined not less than one hundred dollars
20 (\$100)."

21 Section 2. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.