



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 203

H.P. 164

House of Representatives, February 5, 2013

An Act To Require Kayakers on Open Salt Water To Use a Personal Flotation Device

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MALABY of Hancock. (BY REQUEST)
Cosponsored by Representative: HUBBELL of Bar Harbor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §13068-A, sub-§4, ¶A,** as enacted by PL 2003, c. 655, Pt. B,
3 §380 and affected by §422, is amended to read:

4 A. A person operates a watercraft without proper safety equipment if the person
5 operates a watercraft and:

6 (1) Fails to comply with the same requirements pertaining to lights, life-saving
7 devices, fire extinguishers and other safety equipment as required by federal laws
8 and regulations on federal navigable waters, as promulgated under the Federal
9 Boat Safety Act of 1971, Public Law 92-75, as amended;

10 (2) Fails to comply with requirements pertaining to additional equipment not in
11 conflict with federal navigation laws, which the commissioner may prescribe if
12 there is a demonstrated need;

13 (3) Fails to wear a Coast Guard approved Type I, Type II or Type III personal
14 flotation device while canoeing or kayaking on the Saco River between Hiram
15 Dam and the Atlantic Ocean between January 1st and June 1st; ~~or~~

16 (4) Fails to wear a Coast Guard approved Type I, Type II, Type III or Type V
17 personal flotation device while operating a watercraft on:

18 (a) The Penobscot River, between the gorge and the head of Big Eddy; or

19 (b) The Kennebec River, between Harris Station and Turtle Island, at the
20 foot of Black Brook Rapids; ~~or~~

21 (5) Fails to wear a Coast Guard approved Type III personal flotation device
22 while kayaking on open salt water on internal waters.

23 **SUMMARY**

24 This bill requires a person to wear a Coast Guard approved Type III personal
25 flotation device while kayaking on open salt water on the internal waters of the State.