

Act No. 262
Public Acts of 1994
Approved by the Governor
July 4, 1994
Filed with the Secretary of State
July 5, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Pridnia DiNello McManus Koivisto and Gougeon

ENROLLED SENATE BILL No. 1093

AN ACT to amend section 62a of Act No 303 of the Public Acts of 1967 entitled as amended An act to promote the safe use of the waters of this state to provide for the taxation and numbering of motorboats and vessels to provide for rules relative to the operation of vessels and motorboats the carrying of equipment on such waters and to the use of waters of this state for boating to promote uniformity of laws relating thereto to prescribe the duties and responsibilities of owners and operators of vessels and motorboats to prescribe the powers and duties of certain state departments to provide for the disposition of revenue and to provide for penalties as added by Act No 269 of the Public Acts of 1993 being section 281 1062a of the Michigan Compiled Laws

The People of the State of Michigan enact

Section 1 Section 62a of Act No 303 of the Public Acts of 1967 as added by Act No 269 of the Public Acts of 1993 being section 281 1062a of the Michigan Compiled Laws is amended to read as follows

Sec 62a (1) Except as provided in subsection (3) a person shall not operate a vessel on the waters of this state unless each person in an open deck area on board the vessel who is less than 6 years of age is wearing a type I or type II personal flotation device as described in R 281 1234 of the Michigan Administrative Code

(2) A parent or guardian of a child less than 6 years of age who accompanies that child on board a vessel that is not a charter boat described in subsection (3) shall ensure that the child is wearing a personal flotation device that complies with this section

(3) This section does not apply to a charter boat bearing either of the following

(a) A valid certificate of inspection issued by the United States coast guard that verifies the charter boat's compliance with subchapter H or subchapter T of the code of federal regulations 46 C F R 70 01 1 to 80 40 and 175 01 1 to 185 30 30

(b) A valid certificate of inspection issued by the department for a class C vessel that is greater than 45 feet in length

(4) As used in this section charter boat and class C vessel mean those terms as defined in section 2 of the livery boat safety act Act No 244 of the Public Acts of 1986 being section 281 572 of the Michigan Compiled Laws

(5) A person who violates this section is subject to a civil fine of not more than \$100 00

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor

