

Legislative Analysis



PERSONAL FLOTATION DEVICES

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House Bill 5109

Sponsor: Rep. Nancy Jenkins

Committee: Natural Resources, Tourism, and Outdoor Recreation

Complete to 10-24-11

A SUMMARY OF HOUSE BILL 5109 AS INTRODUCED 10-19-11

As of March 16, 2009, a person cannot operate a personal watercraft unless each person **12 years of age or older** riding on or being towed by the watercraft is wearing a type I, II, or III personal flotation device as described in R 281.1234 of the Michigan Administrative Code. Additionally, a person cannot operate a personal watercraft unless each person on board or being towed who **is less than 12 years of age** is wearing a type I or II personal flotation device.

House Bill 5109 would eliminate both of those provisions, and provide instead that no one can operate a personal watercraft unless each person riding or being towed, **regardless of age**, is wearing a type I, II, or III personal flotation device, as described in R 281.1234 of the Michigan Administrative Code.

MCL 324.80205

FISCAL IMPACT:

The bill could reduce civil fine revenue currently generated through misdemeanor convictions where youth under 12 years of age on a watercraft are wearing only type III personal flotation devices. Current law prohibits the use of a type III device for these youth, whereas the bill would make the use of type III devices legal for them. Any fiscal impact would likely be negligible.

The bill would have no fiscal impact on the Department of Natural Resources.

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