

HOUSE BILL NO. 6483

November 09, 2022, Introduced by Rep. Steven Johnson and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 80205 (MCL 324.80205), as amended by 2018 PA
237; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80205. (1) **A person is not required to wear a personal**
2 **flotation device to operate, ride on, or be towed by a personal**
3 **watercraft, and any state or local law, including a rule or order,**
4 **providing otherwise is invalid and unenforceable. ~~A person shall~~**
5 **~~not operate a personal watercraft on the waters of this state~~**

~~1 unless each person riding on or being towed behind the personal
2 watercraft is wearing a type I, type II, or type III personal
3 flotation device as described in R 281.1234 of the Michigan
4 Administrative Code.~~

~~5 (2) A person shall not operate a personal watercraft on the
6 waters of this state unless each person on board the personal
7 watercraft is wearing a personal flotation device that is not
8 inflatable.~~

9 (2) ~~(3)~~ A person shall not operate a personal watercraft on
10 the waters of this state if a child who is under 7 years of age is
11 on board or being towed behind the personal watercraft unless the
12 child is in the company of his or her parent or guardian or a
13 designee of the parent or guardian.

14 (3) ~~(4)~~ While operating a personal watercraft equipped by the
15 manufacturer with a lanyard-type engine cutoff switch on the waters
16 of this state, a person shall have the lanyard attached to his or
17 her person, clothing, or personal flotation device as is
18 appropriate for the personal watercraft.

19 (4) ~~(5)~~ A person shall not operate a personal watercraft on
20 the waters of this state during the period that begins at sunset,
21 **as determined by the National Weather Service**, and ends at 8 a.m.
22 ~~As used in this subsection, "sunset" means that time as determined~~
23 ~~by the National Weather Service.~~

24 (5) ~~(6)~~ A person operating a personal watercraft on the waters
25 of this state shall not cross within 150 feet behind another
26 vessel, other than a personal watercraft, unless the person is
27 operating the personal watercraft at slow-no wake speed. A person
28 who violates this subsection is responsible for a state civil
29 infraction and may be ordered to pay a civil fine of not more than

1 \$500.00.

2 (6) ~~(7)~~ A person shall not operate a personal watercraft on
3 the waters of this state where the water depth is less than 2 feet
4 ~~, as determined by vertical measurement,~~ unless 1 or both of the
5 following circumstances exist:

6 (a) The personal watercraft is being operated at slow-no wake
7 speed.

8 (b) The personal watercraft is being docked or launched.

9 (7) ~~(8)~~ A person who violates subsection ~~(7)~~ (6) is
10 responsible for a state civil infraction and may be ordered to pay
11 a civil fine of not more than \$500.00.

12 (8) ~~(9)~~ A person shall operate a personal watercraft in a
13 reasonable and prudent manner. A maneuver that unreasonably or
14 unnecessarily endangers life, limb, or property, including, but not
15 limited to, all of the following, constitutes reckless operation of
16 a personal watercraft under section 80208:

17 (a) Weaving through congested vessel traffic.

18 (b) Jumping the wake of another vessel unreasonably or
19 unnecessarily close to the other vessel or when visibility around
20 the other vessel is obstructed.

21 (c) Waiting until the last possible moment before swerving to
22 avoid a collision.

23 (9) ~~(10)~~ A person shall not operate a personal watercraft on
24 the waters of this state carrying more persons than the personal
25 watercraft is designed to carry.

26 (10) ~~(11)~~ A violation of subsection ~~(10)~~ (9) is prima facie
27 evidence of reckless operation of a watercraft under section 80208.

28 (11) ~~(12)~~ A person operating a personal watercraft in excess
29 of the speeds established under part 801 is guilty of reckless

1 operation of a personal watercraft under section 80208.

2 **(12)** ~~(13)~~—This section does not apply to a performer engaged
3 in a professional exhibition or a person preparing to participate
4 or participating in a regatta, race, marine parade, tournament, or
5 exhibition held in compliance with section 80164 under a permit
6 issued by the department and at the time and place specified in the
7 permit.

8 Enacting section 1. Section 80142 of the natural resources and
9 environmental protection act, 1994 PA 451, MCL 324.80142, is
10 repealed.