

1 HB24  
2 136418-1  
3 By Representative Faust  
4 RFD: Public Safety and Homeland Security  
5 First Read: 05-FEB-13  
6 PFD: 12/07/2012

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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.

16  
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.