

SB3060



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3060

Introduced 2/8/2010, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

625 ILCS 45/4-1

from Ch. 95 1/2, par. 314-1

Amends the Boat Registration and Safety Act. Removes an exclusion to certain provisions requiring the use of personal flotation for sailboats and adds an exclusion to the same provisions for sailboards. Provides that no person may operate a watercraft under 26 feet in length on public or private property (rather than on just public property) unless certain personal flotation devices are being properly worn by a sole occupant and each person under the age of 13 (rather than just each person under the age of 13) on board the watercraft at all times in which the watercraft is underway. Effective immediately.

LRB096 17863 AJT 33231 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Boat Registration and Safety Act is amended
5 by changing Section 4-1 as follows:

6 (625 ILCS 45/4-1) (from Ch. 95 1/2, par. 314-1)

7 Sec. 4-1. Personal flotation devices.

8 A. No person may operate a watercraft unless at least one
9 U.S. Coast Guard approved PFD of the following types or their
10 equivalent is on board for each person: Type I, Type II or Type
11 III.

12 B. No person may operate a personal watercraft or specialty
13 prop-craft unless each person aboard is wearing a Type I, Type
14 II, Type III or Type V PFD approved by the United States Coast
15 Guard.

16 C. No person may operate a watercraft 16 feet or more in
17 length, except a canoe or kayak, unless at least one Type IV
18 U.S. Coast Guard approved PFD or its equivalent is on board in
19 addition to the PFD's required in paragraph A of this Section.

20 D. A U.S. Coast Guard approved Type V personal flotation
21 device may be carried in lieu of the Type I, II, III or IV
22 personal flotation device required in this Section, if the Type
23 V personal flotation device is approved for the activity in

1 which it is being used.

2 E. When assisting a person on waterskis, aquaplane or
3 similar device, there must be one U.S. Coast Guard approved PFD
4 on board the watercraft for each person being assisted or towed
5 or worn by the person being assisted or towed.

6 F. No person may operate a watercraft unless each device
7 required by this Section is:

8 1. Readily accessible;

9 2. In serviceable condition;

10 3. Of the appropriate size for the person for whom it
11 is intended; and

12 4. Legibly marked with the U.S. Coast Guard approval
13 number.

14 G. Approved personal flotation devices are defined as
15 follows:

16 Type I - A Type I personal flotation device is an
17 approved device designed to turn an unconscious person in
18 the water from a face downward position to a vertical or
19 slightly backward position and to have more than 20 pounds
20 of buoyancy.

21 Type II - A Type II personal flotation device is an
22 approved device designed to turn an unconscious person in
23 the water from a face downward position to a vertical or
24 slightly backward position and to have at least 15 1/2
25 pounds of buoyancy.

26 Type III - A Type III personal flotation device is an

1 approved device designed to keep a conscious person in a
2 vertical or slightly backward position and to have at least
3 15 1/2 pounds of buoyancy.

4 Type IV - A Type IV personal flotation device is an
5 approved device designed to be thrown to a person in the
6 water and not worn. It is designed to have at least 16 1/2
7 pounds of buoyancy.

8 Type V - A Type V personal flotation device is an
9 approved device for restricted use and is acceptable only
10 when used in the activity for which it is approved.

11 H. The provisions of subsections A through G of this
12 Section shall not apply to sailboards ~~sailboats~~.

13 I. No person may operate a watercraft under 26 feet in
14 length unless a Type I, Type II, Type III, or Type V personal
15 flotation device is being properly worn by a sole occupant and
16 each person under the age of 13 on board the watercraft at all
17 times in which the watercraft is underway; however, this
18 requirement shall not apply to persons who are below decks or
19 in totally enclosed cabin spaces. As used in this subsection,
20 "sole occupant" means any person operating a watercraft without
21 another person on board who is authorized under the laws of
22 this State to operate the watercraft. ~~The provisions of this~~
23 ~~subsection I shall not apply to a person operating a watercraft~~
24 ~~on private property.~~

25 (Source: P.A. 90-411, eff. 1-1-98.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.