

Assembly Bill No. 632—Committee on Natural Resources,  
Agriculture, and Mining

CHAPTER.....

AN ACT relating to water safety; prohibiting the operation of certain vessels unless persons less than 12 years of age are wearing personal flotation devices while the vessel is under way; providing a penalty; and providing other matters properly relating thereto.

WHEREAS, Recreational boating is a vastly increasing source of entertainment in Nevada; and

WHEREAS, Most boating-related fatalities are caused by drowning; and

WHEREAS, Personal flotation devices approved by the United States Coast Guard are not required by federal law to be worn by persons less than 12 years of age while a vessel is under way; and

WHEREAS, It is estimated that requiring persons less than 12 years of age to wear properly fitted personal flotation devices may decrease by up to 85 percent the rate of fatalities by drowning of such persons; and

WHEREAS, All reasonable safety precautions should be taken to preserve a life; and

WHEREAS, Requiring persons less than 12 years of age to wear personal flotation devices while a vessel is under way will also reduce the costs of related civil litigation; and

WHEREAS, Several states have already enacted similar measures designed to reduce unnecessary deaths and litigation; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 488 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, a person shall not operate or authorize another person to operate a vessel under his ownership or control on any waters of this state unless each person on the vessel who is less than 12 years of age is wearing a personal flotation device of a type approved by the United States Coast Guard and prescribed by the regulations of the commission while the vessel is under way.*

*2. The provisions of subsection 1 do not apply to persons on board:*

*(a) A commercial vessel licensed by the United States Coast Guard for the transportation of passengers for hire; or*

*(b) Any other vessel who are below the deck or inside a cabin of the vessel.*

**Sec. 2.** NRS 488.580 is hereby amended to read as follows:

488.580 1. A person shall not operate or authorize another person to operate a personal watercraft under his ownership or control:

(a) In a reckless or negligent manner so as to endanger the life or property of another person.

(b) Unless the operator *and each passenger* is wearing a personal flotation device of a type approved by the United States Coast Guard and prescribed by the regulations of the commission.

(c) Unless the operator is at least 12 years of age.

2. There is prima facie evidence that a person is operating a personal watercraft in a reckless or negligent manner if that person commits two or more of the following acts simultaneously:

(a) Operates the personal watercraft within a zone closer than 5 lengths of the longest vessel, unless both are leaving a flat wake or traveling at a speed of not more than 5 nautical miles per hour.

(b) Operates the personal watercraft in the vicinity of a motorboat in a manner that obstructs the visibility of either operator.

(c) Heads into the wake of a motorboat which is within a zone closer than 5 lengths of the longest vessel and causes one-half or more of the length of the personal watercraft to leave the water.

(d) Within a zone closer than 5 lengths of the longest vessel, maneuvers quickly, turns sharply or swerves, unless the maneuver is necessary to avoid collision.

3. As used in this section, "personal watercraft" means a class A motorboat which:

(a) Is less than 13 feet in length;

(b) Is designed to be operated by a person sitting, standing or kneeling on, rather than in, the motorboat;

(c) Is capable of performing sharp turns or quick maneuvers; and

(d) Has a motor that exceeds 10 horsepower.

**Sec. 3.** The provisions of this act do not apply to offenses committed before October 1, 2001.