

ASSEMBLY BILL NO. 112—ASSEMBLYWOMAN PARNELL

FEBRUARY 22, 2005

JOINT SPONSOR: SENATOR AMODEI

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Requires certain vessels to carry on board certain personal flotation devices. (BDR 43-770)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to watercraft; requiring certain vessels to carry on board certain personal flotation devices accessible for use in an emergency; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires every water vessel to carry at least one personal flotation
2 device for each person on board the vessel and for any person in a vessel being
3 towed. The flotation device must be approved by the United States Coast Guard
4 and prescribed by the Board of Wildlife Commissioners. Flotation devices stored
5 on a vessel must be readily accessible for use in an emergency. (NRS 488.193)
6 Existing law further provides that, with certain exceptions, a violation of any
7 provision of the chapter governing watercraft is a misdemeanor. (NRS 488.950)
8 This bill requires that a vessel which is 16 feet or more in length but less than
9 26 feet in length carry a type IV personal flotation device approved by the United
10 States Coast Guard which is capable of being thrown. This bill requires that a
11 vessel which is 26 feet or more in length carry a type IV personal flotation device
12 approved by the United States Coast Guard which is capable of being thrown and
13 which has at least 30 feet of throwing line attached. The bill requires that a vessel
14 which is 40 feet or more in length carry two type IV personal flotation devices
15 approved by the United States Coast Guard which are capable of being thrown and
16 which have at least 30 feet of throwing line attached to each. Because these
17 requirements are included in the chapter governing watercraft, the general
18 misdemeanor penalty for violations of the chapter apply to a person who violates



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any one of these requirements. (NRS 488.950) Examples of these type IV personal flotation devices include a ring life buoy or buoyant cushion. The type IV personal flotation devices must be readily accessible for use in an emergency. This bill clarifies what it means for a vessel to have its personal flotation devices and type IV personal flotation devices "readily accessible for use in an emergency."

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

Section 1. NRS 488.193 is hereby amended to read as follows:
488.193 1. Except for a contrivance, propelled by a sail, whose occupant must stand erect, every vessel must carry at least one personal flotation device of a type approved by the United States Coast Guard and prescribed by the regulations of the Commission for each person on board and any person in a vessel being towed, so placed as to be readily accessible for use in an emergency. Every vessel carrying passengers for hire must carry so placed as to be readily accessible for use in an emergency at least one personal flotation device of the sort prescribed by the regulations of the Commission for each person on board. *A personal flotation device required by this subsection is readily accessible for use in an emergency if:*

(a) It is being worn; or

(b) It is stowed where it is quickly reachable and is:

(1) Ready to wear;

(2) Out of its original packaging; and

(3) Not under lock and key.

2. *In addition to the requirements set forth in subsection 1, unless exempted by the United States Coast Guard or the regulations of the Commission:*

(a) Every vessel which is 16 feet or more in length but less than 26 feet in length, regardless of its method of propulsion, must carry, so placed as to be readily accessible for use in an emergency, a type IV personal flotation device approved by the United States Coast Guard which is capable of being thrown, such as a ring life buoy or buoyant cushion. A type IV personal flotation device required by this paragraph is readily accessible for use in an emergency if it is stowed in close proximity to the operator of the vessel and in a position to be thrown to a person overboard by either the operator or a passenger.

(b) Except as otherwise provided in this paragraph, every vessel which is 26 feet or more in length, regardless of its method of propulsion, must carry, so placed as to be readily accessible for use in an emergency, a type IV personal flotation device approved by the United States Coast Guard which is capable of being



1 *thrown, such as a ring life buoy or buoyant cushion, with not less*
2 *than 30 feet of throwing line attached. If the vessel is 40 feet or*
3 *more in length, such a type IV personal flotation device must be*
4 *carried on both the fore and the aft of the vessel. A type IV*
5 *personal flotation device required by this paragraph is readily*
6 *accessible for use in an emergency if it is prominently displayed*
7 *on a bulkhead, railing or gunwale, and in a position to be thrown*
8 *to a person overboard by either the operator or a passenger.*

9 3. Every motorboat must be provided with such number, size
10 and type of fire extinguishers, capable of promptly and effectually
11 extinguishing burning gasoline, as may be prescribed by the
12 regulations of the Commission. The fire extinguishers must be of a
13 marine type which has been approved by the United States Coast
14 Guard and kept in condition for immediate and effective use and so
15 placed as to be readily accessible.

16 ~~13.1~~ 4. Every motorboat must have the carburetor of every
17 engine therein, except outboard motors, using gasoline as fuel,
18 equipped with such efficient flame arrestor, backfire trap or other
19 similar device as may be prescribed by the regulations of the
20 Commission.

21 ~~14.1~~ 5. Every motorboat and every vessel, except open boats,
22 using as fuel any liquid of a volatile nature, must be provided with
23 such means as may be prescribed by the regulations of the
24 Commission for properly and efficiently ventilating the bilges of the
25 engine and compartments for tanks of fuel to remove any explosive
26 or flammable gases.

27 ~~15.1~~ 6. The Commission may adopt regulations modifying the
28 requirements for equipment contained in this section to the extent
29 necessary to keep these requirements in conformity with the
30 provisions of the Federal Navigation Laws or with the rules for
31 navigation adopted by the United States Coast Guard.

32 **Sec. 2.** This act becomes effective upon passage and approval.



