

ASSEMBLY BILL NO. 13—ASSEMBLYWOMAN ALLEN
(BY REQUEST)

PREFILED JANUARY 18, 2007

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions governing the use of watercraft.
(BDR 43-144)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to watercraft; prohibiting the owner of a boat livery or his agent or employee from renting an aquatic device to any person unless the owner, agent or employee complies with certain requirements; increasing the age under which a person on a vessel is required to wear a personal flotation device; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill prohibits the owner of a boat livery or his agent or employee from renting an aquatic device to any person unless the owner or his agent or employee complies with certain requirements, including, without limitation, providing to each person who will use the aquatic device a personal flotation device approved by the United States Coast Guard and giving verbal instructions for the safe use of the aquatic device. An "aquatic device" includes an inner tube or inflatable raft, but does not include a vessel or motorboat or any device used in a designated swimming area. **Section 1** also prohibits a person who is less than 13 years of age from using an aquatic device unless the person is wearing a personal flotation device.

Existing law requires a person under the age of 12 years to wear a personal flotation device when on the topside of a noncommercial vessel. (NRS 488.575)

Section 2 of this bill raises the age to less than 13 years of age.



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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. The owner of a boat livery or his agent or employee shall not rent an aquatic device to any person unless the owner or his agent or employee:

(a) Provides to each person to whom the aquatic device is rented and to each person who will use the aquatic device:

(1) A personal flotation device of a type approved by the United States Coast Guard and prescribed by regulations adopted by the Commission;

(2) A written summary of the laws and regulations of this State governing the use of the aquatic device; and

(3) Verbal instructions regarding the safe use of the aquatic device; and

(b) Before the aquatic device leaves the control of the owner or his agent or employee, documents the name and age of each person who will use the aquatic device. The person to whom the aquatic device is rented shall ensure that only a person who is documented as a user is allowed to use the aquatic device.

2. Each person to whom an aquatic device is rented and each person who uses the aquatic device shall, before using the aquatic device:

(a) Review the written summary of the laws and regulations provided to him pursuant to subsection 1; or

(b) Provide written proof to the owner or his agent or employee that the person has received previous instruction in the safe use of the aquatic device.

3. A person shall not use or authorize another person to use an aquatic device under his control on any waters of this State unless each user of the aquatic device who is less than 13 years of age is wearing a personal flotation device of the type prescribed pursuant to subsection 1.

4. As used in this section, "aquatic device" means:

(a) An inflatable inner tube;

(b) A small, flexible plastic or inflatable raft; or

(c) A single-chambered device that is inflated with air.

↪ The term does not include a device which is classified as a vessel or motorboat or which is used in an area that is designated for swimming.

Sec. 2. NRS 488.575 is hereby amended to read as follows:

488.575 1. Except as otherwise provided in subsection 2, a person shall not operate or authorize another person to operate a



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1 vessel under his ownership or control on any waters of this State
2 unless each person on the vessel who is less than ~~12~~ 13 years of
3 age is wearing a personal flotation device of a type approved by the
4 United States Coast Guard and prescribed by the regulations of the
5 Commission while the vessel is under way.

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

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

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

12 **Sec. 3.** 1. This section and section 1 of this act become
13 effective upon passage and approval for the purpose of adopting
14 regulations pursuant to section 1 of this act and on January 1, 2008,
15 for all other purposes.

16 2. Section 2 of this act becomes effective on October 1, 2007.

