

SENATE NATURAL RESOURCES AND ECONOMIC
DEVELOPMENT COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1586

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 1996

The Senate Natural Resources and Economic Development Committee favorably reports Assembly Bill No. 1586 (1R) with committee amendments.

Assembly Bill No. 1586 (1R) requires anyone who operates a vessel on the waters of the State with a child 12 years of age or younger on board to see that the child wears a properly fitting personal flotation device (PFD) approved by the United States Coast Guard. Violators are subject to fines of not less than \$25 or more than \$50.

Currently, the State's boating regulations (see New Jersey Administrative Code 13:82-1.4) require that every vessel be equipped with serviceable United States Coast Guard approved PFDs for each person on board. These regulations do not specify that the PFD be worn. The bill requires the Boat Regulation Commission to adopt the rules and regulations necessary to effectuate the bill's requirements.

According to the sponsor, 26 states currently require children to wear PFDs while on board a vessel. Ten of those states require children aged 12 and under to wear PFDs. The other 16 states mandate the wearing of PFDs for children younger than 12 years of age. The requirements vary significantly, ranging from those which require PFDs only for children ages 5 and under to those requiring PFDs for all children ages 11 and under.

The committee amended the bill to lower the age requirement from 12 to 10, thus requiring anyone who operates a vessel on the waters of the State with a child 10 years of age or younger on board to see that the child wears a PFD. The committee also amended the bill to require the Boat Regulation Commission to exempt any class of vessel from the requirements of this act if it deems that the size or purpose of the vessel makes the requirements unnecessary or inappropriate. A class of vessel exempt from the requirements of this act would include, but need not be limited to, the class of vessel in which the "Spirit of New Jersey," and any other similarly large commercial tour or ferry boat are listed.