

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

**To:** The House Standing Committee on Agriculture

**From:** The Office of Revisor of Statutes

**Date:** March 11, 2020

**Re:** S.B. 307

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Under current law, the operator<sup>1</sup> of every vessel<sup>2</sup> shall require every person 12 years of age or under to wear a U.S. coast guard-approved type I, type II or type III personal flotation device while aboard or being towed by such vessel. S.B. 307 would strike the references to the individual types of U.S. coast guard-approved personal flotation devices. Under the bill, the types of personal flotation devices that would be required would still need to be U.S. coast guard-approved but would also need to be prescribed by rules and regulations of the Kansas secretary of wildlife, parks and tourism.

S.B. 307 would become effective upon publication in the statute book.

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<sup>1</sup> “Operator” means the person who operates or has charge of the navigation or use of a motorboat or a vessel. K.S.A. 32-1102(j).

<sup>2</sup> “Vessel” means any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water. K.S.A. 32-1102(a).

Code of Federal Regulations  
Title 33. Navigation and Navigable Waters  
Chapter I. Coast Guard, Department of Homeland Security (Refs & Annos)  
Subchapter S. Boating Safety  
Part 175. Equipment Requirements (Refs & Annos)  
Subpart B. Personal Flotation Devices

33 C.F.R. § 175.25

§ 175.25 Enforcement of State requirements for children to wear personal flotation devices.

Currentness

(a) This section applies to operators of recreational vessels on waters subject to the jurisdiction of any State that has established by statute a requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, while aboard a recreational vessel.

(b) If the applicable State statute establishes any requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, then that requirement applies on the waters subject to the State's jurisdiction instead of the requirement provided in § 175.15(c) of this part.

**Credits**

[USCG–2000–8589, 67 FR 42493, June 24, 2002; 69 FR 45590, July 30, 2004]

AUTHORITY: 46 U.S.C. 4302; Department of Homeland Security Delegation No. 0170.1.

Current through March 5, 2020; 85 FR 12874.

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Code of Federal Regulations  
Title 33. Navigation and Navigable Waters  
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Part 175. Equipment Requirements (Refs & Annos)  
Subpart B. Personal Flotation Devices

33 C.F.R. § 175.15

§ 175.15 Personal flotation devices required.

Effective: October 22, 2014  
Currentness

Except as provided in §§ 175.17 and 175.25:

(a) No person may use a recreational vessel unless—

- (1) At least one wearable PFD is on board for each person;
- (2) Each PFD is used in accordance with any requirements on the approval label; and
- (3) Each PFD is used in accordance with any requirements in its owner's manual, if the approval label makes reference to such a manual.

(b) No person may use a recreational vessel 16 feet or more in length unless one throwable PFD is onboard in addition to the total number of wearable PFDs required in paragraph (a) of this section.

(c) No person may operate a recreational vessel under way with any child under 13 years old aboard unless each such child is either—

- (1) Wearing an appropriate PFD approved by the Coast Guard; or
- (2) Below decks or in an enclosed cabin.

**Credits**

[CGD 81–023, 55 FR 32034, Aug. 6, 1990; CGD 92–045, 58 FR 41608, Aug. 4, 1993; USCG–2000–8589, 67 FR 8885, Feb. 27, 2002; 67 FR 14645, March 27, 2002; USCG–2000–8589, 67 FR 42492, June 24, 2002; 69 FR 45590, July 30, 2004; USCG–2013–0263, 79 FR 56499, Sept. 22, 2014]

AUTHORITY: 46 U.S.C. 4302; Department of Homeland Security Delegation No. 0170.1.

Notes of Decisions (5)

Current through March 5, 2020; 85 FR 12874.

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