

SENATE BILL NO. 732

September 22, 1999, Introduced by Senators SIKKEMA, DUNASKISS, JOHNSON, HAMMERSTROM, BULLARD, GOSCHKA and SHUGARS and referred to the Committee on Transportation and Tourism.

A bill to amend 1998 PA 116, entitled
"Personal watercraft safety act,"
by amending section 31 (MCL 281.1431).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 31. (1) Except as provided in ~~subsection~~ SUBSECTIONS
2 (2) AND (3), a person under the age of 14 shall not use a per-
3 sonal watercraft on the waters of this state.
- 4 (2) A person who is 12 or more and less than 14 years of age
5 before January 1, 1999 may use a personal watercraft on the
6 waters of this state if before January 1, 1999 he or she obtained
7 a boating safety certificate.
- 8 (3) A PERSON WHO IS 12 OR MORE AND LESS THAN 14 YEARS OF AGE
9 MAY USE A PERSONAL WATERCRAFT ON THE WATERS OF THIS STATE IF ALL
10 OF THE FOLLOWING CIRCUMSTANCES EXIST:

1 (A) THE PERSON IS ACCOMPANIED BY THE PERSON'S PARENT OR
2 LEGAL GUARDIAN.

3 (B) BOTH THE PERSON AND THE PARENT OR LEGAL GUARDIAN HAVE
4 OBTAINED A BOATING SAFETY CERTIFICATE.

5 (C) IF THE PERSONAL WATERCRAFT IS EQUIPPED BY THE MANUFAC-
6 Turer WITH A LANYARD-TYPE ENGINE CUTOFF SWITCH, THE PARENT OR
7 LEGAL GUARDIAN SHALL HAVE THE LANYARD ATTACHED TO HIS OR HER
8 PERSON, CLOTHING, OR PERSONAL FLOTATION DEVICE.

9 (4) ~~(3)~~ A person who was born after December 31, 1978
10 shall not operate a personal watercraft upon the waters of this
11 state unless he or she first obtains a boating safety
12 certificate.

13 (5) ~~(4)~~ Not more than 5 years after this act takes effect,
14 the graduated age provisions of this section shall be reviewed by
15 the appropriate committee of both houses of the legislature to
16 ascertain the effect, if any, these provisions have had upon the
17 safe operation of personal watercraft upon the waters of this
18 state.

19 (6) ~~(5)~~ The owner of a personal watercraft or a person
20 having charge over or control of a personal watercraft shall not
21 authorize or knowingly permit the personal watercraft to be oper-
22 ated in violation of this section.

23 (7) ~~(6)~~ This section does not apply to a performer engaged
24 in a professional exhibition or a person preparing to participate
25 or participating in a regatta, race, marine parade, tournament,
26 or exhibition held in compliance with section 80164 of the
27 natural resources and environmental protection act, 1994 PA 451,

1 MCL 324.80164, under a permit issued by the department and at the
2 time and place specified in the permit.