

HOUSE BILL No. 6047

September 15, 1992, Introduced by Rep. Yokich and referred to the Committee on Marine Affairs and Port Development.

A bill to amend section 78 of Act No. 303 of the Public Acts of 1967, entitled as amended

"Marine safety act,"

being section 281.1078 of the Michigan Compiled Laws; and to add section 62a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 78 of Act No. 303 of the Public Acts of
2 1967, being section 281.1078 of the Michigan Compiled Laws, is
3 amended and section 62a is added to read as follows:

4 SEC. 62A. (1) A PERSON SHALL NOT OPERATE A VESSEL ON THE
5 WATERS OF THIS STATE UNLESS EACH PERSON ON BOARD THE VESSEL WHO
6 IS LESS THAN 7 YEARS OF AGE IS WEARING A TYPE I, TYPE II, OR TYPE
7 III PERSONAL FLOTATION DEVICE AS DESCRIBED IN R 281.1234 OF THE
8 MICHIGAN ADMINISTRATIVE CODE.

1 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
2 MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
3 DAYS, OR A FINE OF NOT LESS THAN \$100.00 OR MORE THAN \$500.00, OR
4 BOTH, PLUS THE COSTS OF PROSECUTION.

5 Sec. 78. (1) A person shall not operate on the waters of
6 this state a vessel having in tow or otherwise assisting a person
7 on water skis, water sled, aquaplane, surfboard, or other similar
8 contrivance, unless ~~there is in the vessel, in~~ EACH OF THE FOL-
9 LOWING CONDITIONS IS MET:

10 (A) IN addition to the operator, at least 1 ~~competent~~
11 person ~~in a position~~ CAPABLE OF RENDERING ASSISTANCE IS IN THE
12 VESSEL AND POSITIONED to observe the progress of the person being
13 towed OR ASSISTED. ~~An observer shall be considered competent if~~
14 ~~he can, in fact, render assistance if necessary.~~

15 ~~All motorboats engaged in the propulsion of a person on~~
16 ~~water skis, water sled, aquaplane, surfboard or similar contriv-~~
17 ~~ance, shall be~~

18 (B) THE PERSON BEING TOWED OR ASSISTED IS WEARING A TYPE I,
19 TYPE II, OR TYPE III PERSONAL FLOTATION DEVICE AS DESCRIBED IN
20 R 281.1234 OF THE MICHIGAN ADMINISTRATIVE CODE.

21 (C) THE TOWING OR ASSISTING VESSEL IS equipped with a 170
22 degree wide angle rear view mirror affixed in a manner ~~as will~~
23 ~~permit~~ THAT PERMITS the VESSEL operator to observe the progress
24 of the person being towed.

25 (2) ~~The provisions of~~ EXCEPT AS PROVIDED IN
26 SUBSECTION (1)(B), this section ~~shall~~ DOES not apply to
27 ~~vessels~~ ANY OF THE FOLLOWING:

1 (A) A VESSEL used by ~~duly constituted ski schools in the~~
2 ~~giving of instructions, or to vessels used in sanctioned~~ A SKI
3 SCHOOL.

4 (B) A VESSEL USED FOR ski tournaments, competitions,
5 expositions, or trials. ~~therefor, or to motorboats~~

6 (C) A MOTORBOAT less than 16 feet in length actually oper-
7 ated by the person being towed and ~~so constructed as to be~~
8 incapable of carrying the operator in or on the motorboat.

9 (3) A PERSON WHO VIOLATES SUBSECTION (1)(B) IS GUILTY OF A
10 MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
11 DAYS, OR A FINE OF NOT LESS THAN \$100.00 OR MORE THAN \$500.00, OR
12 BOTH, PLUS THE COSTS OF PROSECUTION.