

LEGISLATIVE HISTORY CHECKLIST

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LAWS of 1999

CHAPTER: 161

NJSA:12:7-47.1 to 12:7-47.2
(Life jackets)

BILL NO: A1709(Substituted for S1103 - 1st Reprint)

SPONSOR(S):Bagger

DATE INTRODUCED:February 19, 1998

COMMITTEE:

ASSEMBLY: Law and Public Safety

SENATE:Law and Public Safety

AMENDED DURING PASSAGE:Yes

DATES OF PASSAGE:

ASSEMBLY:June 11, 1998

SENATE:June 21, 1999

DATE OF APPROVAL:July 10, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: *YES*2nd Reprint
(Amendments during passage denoted by superscript numbers)

A1709

SPONSORS STATEMENT: *Yes* (Begins on page 2 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *Yes*

March 16, 1998

May 28, 1998

LEGISLATIVE FISCAL ESTIMATE: *No*

S1103

SPONSORS STATEMENT: *Yes (Begins on page 2 of original bill)*

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *No*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

§§1,2
C. 12:7-47.1
& 12:7-47.2
§3
Note To §§1,2

P.L. 1999, CHAPTER 161, *approved July 10, 1999*
Assembly, No. 1709 (*Second Reprint*)

1 **AN ACT** concerning the operation of vessels on the waters of this
2 State and supplementing P.L.1962, c.73 (C.12:7-34.36 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. Every person who operates a vessel on the waters of this
8 State with a child ¹[10] 12¹ years of age or under on board shall have
9 the child wear at all times a properly fitted United States Coast Guard
10 approved personal flotation device whenever the vessel is underway.

11 b. Any person guilty of violating this act shall be fined not less than
12 \$25 or more than \$50.

13 ²c. The operator of a vessel shall not be guilty of a violation of this
14 act if a United States Coast Guard flotation device of a size to
15 properly fit the child is not commercially available.²

16
17 2. The Boat Regulation Commission shall, pursuant to the
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
19 seq.), adopt any rules and regulations necessary to effectuate the
20 purposes of this act. The commission shall exempt any class of vessel
21 from the requirements of this act if it deems that the size or purpose
22 of the vessels in a specific class make the requirements unnecessary or
23 inappropriate. The class of vessel exempt from the requirements of
24 this act shall include, but need not be limited to, the class of vessels in
25 which large commercial tour or ferry boats are listed.

26
27 3. This act shall take effect ¹[immediately] January 1, 1999, but
28 section 2 shall take effect immediately¹.

29
30
31
32
33 Requires children 12 and under to wear life jackets while on board
34 vessels.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted March 16, 1998.

² Assembly floor amendments adopted May 28, 1998.

ASSEMBLY, No. 1709

STATE OF NEW JERSEY

208th LEGISLATURE

INTRODUCED FEBRUARY 19, 1998

Sponsored by:

Assemblyman RICHARD H. BAGGER

District 22 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Requires children age 10 and under to wear life jackets while on board vessels.

CURRENT VERSION OF TEXT

As introduced.



A1709 BAGGER

2

1 **AN ACT** concerning the operation of vessels on the waters of this
2 State and supplementing P.L.1962, c.73 (C.12:7-34.36 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. Every person who operates a vessel on the waters of this
8 State with a child 10 years of age or under on board shall have the
9 child wear at all times a properly fitted United States Coast Guard
10 approved personal flotation device whenever the vessel is underway.

11 b. Any person guilty of violating this act shall be fined not less than
12 \$25 or more than \$50.

13
14 2. The Boat Regulation Commission shall, pursuant to the
15 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
16 seq.), adopt any rules and regulations necessary to effectuate the
17 purposes of this act. The commission shall exempt any class of vessel
18 from the requirements of this act if it deems that the size or purpose
19 of the vessels in a specific class make the requirements unnecessary or
20 inappropriate. The class of vessel exempt from the requirements of
21 this act shall include, but need not be limited to, the class of vessels in
22 which large commercial tour or ferry boats are listed.

23
24 3. This act shall take effect immediately.

25
26
27 **STATEMENT**

28
29 This bill requires anyone who operates a vessel on the waters of the
30 State with a child 10 years of age or younger on board to see that the
31 child wears a properly fitting personal flotation device (PFD) approved
32 by the United States Coast Guard. Violators are subject to fines of
33 not less than \$25 or more than \$50.

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

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

A1709 BAGGER

3

1 The bill also requires the Boat Regulation Commission to exempt
2 any class of vessel from the bill's requirements if it deems that the size
3 or purpose of the vessel makes the requirements unnecessary or
4 inappropriate. The class of vessel exempt from the requirements of
5 the bill would include, but need not be limited to, the class of vessel in
6 which large commercial tour or ferry boats are listed.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1709

STATE OF NEW JERSEY

DATED: MARCH 2, 1998

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1709.

Assembly Bill No. 1709 requires anyone who operates a vessel on the waters of the State with a child 10 years of age or under 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 require that every vessel be equipped with a serviceable United States Coast Guard approved PFD for each person on board. These regulations, found at N.J.A.C.13:82-1.4, do not specify that the PFD be worn.

The bill also requires the Boat Regulation Commission to adopt the rules and regulations necessary to effectuate the bill's requirements.

According to the National Recreational Boating Safety Coalition, 32 states currently require children to wear PFDs while on board a vessel. Twenty-one of those states require children aged 12 years and under or children under 12 years old to wear PFDs. The other 11 states mandate the wearing of PFDs for children of varying ages under 12 years.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 1709

STATE OF NEW JERSEY

DATED: JANUARY 25, 1999

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1709(2R).

This bill requires anyone who operates a vessel on the waters of the State with a child 12 years of age or under on board to see that the child wears a properly fitting personal flotation device (PFD) approved by the United States Coast Guard, unless a device of a size to properly fit the child is not commercially available. Violators are subject to fines of not less than \$25 or more than \$50.

Currently, the State's boating regulations require that every vessel be equipped with a serviceable United States Coast Guard approved PFD for each person on board. These regulations, found at N.J.A.C.13:82-1.4, do not specify that the PFD be worn.

The bill also requires the Boat Regulation Commission to adopt the rules and regulations necessary to effectuate the bill's requirements.

According to the National Recreational Boating Safety Coalition, 32 states currently require children to wear PFDs while on board a vessel. Twenty-one of those states require children aged 12 years and under or children under 12 years old to wear PFDs. The other 11 states mandate the wearing of PFDs for children of varying ages under 12 years.

This bill is identical to Senate Bill No. 1103, which was released by the committee on this same date.

STATEMENT TO
ASSEMBLY, No. 1709

with Assembly Floor Amendments
(Proposed By Assemblyman BAGGER)

ADOPTED: MARCH 16, 1998

This amendment requires anyone who operates a vessel on the waters of the State with a child 12 years of age or under on board to see that the child wears a properly fitting personal flotation device (PFD) approved by the United States Coast Guard.

As introduced, the bill applied to children 10 years of age or under.

The amendment also changes the effective date from immediately to January 1, 1999.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1709

with Assembly Floor Amendments
(Proposed By Assemblyman BAGGER)

ADOPTED: MAY 28, 1998

This Assembly floor amendment is intended to exempt operators of vessels from being penalized under this bill if a personal flotation device is not commercially available to fit a child of unusual size, such as an infant.

SENATE, No. 1103

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MAY 21, 1998

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Senator LEONARD T. CONNORS, JR.

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Requires children 12 and under to wear life jackets while on board vessels.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the operation of vessels on the waters of this
2 State and supplementing P.L.1962, c.73 (C.12:7-34.36 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. Every person who operates a vessel on the waters of this
8 State with a child 12 years of age or under on board shall have the
9 child wear at all times a properly fitted United States Coast Guard
10 approved personal flotation device whenever the vessel is underway.

11 b. Any person guilty of violating this act shall be fined not less than
12 \$25 or more than \$50.

13
14 2. The Boat Regulation Commission shall, pursuant to the
15 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
16 seq.), adopt any rules and regulations necessary to effectuate the
17 purposes of this act. The commission shall exempt any class of vessel
18 from the requirements of this act if it deems that the size or purpose
19 of the vessels in a specific class make the requirements unnecessary or
20 inappropriate. The class of vessel exempt from the requirements of
21 this act shall include, but need not be limited to, the class of vessels in
22 which large commercial tour or ferry boats are listed.

23
24 3. This act shall take effect January 1, 1999, but section 2 shall
25 take effect immediately.

26
27 STATEMENT

28
29 This bill requires anyone who operates a vessel on the waters of the
30 State with a child 12 years of age or under on board to see that the
31 child wears a properly fitting personal flotation device (PFD) approved
32 by the United States Coast Guard. Violators are subject to fines of
33 not less than \$25 or more than \$50.

34 Currently, the State's boating regulations require that every vessel
35 be equipped with a serviceable United States Coast Guard approved
36 PFD for each person on board. These regulations, found at
37 N.J.A.C.13:82-1.4, do not specify that the PFD be worn.

38 The bill also requires the Boat Regulation Commission to adopt the
39 rules and regulations necessary to effectuate the bill's requirements.

40 According to the National Recreational Boating Safety Coalition,
41 32 states currently require children to wear PFDs while on board a
42 vessel. Twenty-one of those states require children aged 12 years and
43 under or children under 12 years old to wear PFDs. The other 11
44 states mandate the wearing of PFDs for children of varying ages under
45 12 years.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1103

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 1999

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1103.

This bill requires anyone who operates a vessel on the waters of the State with a child 12 years of age or under 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 require that every vessel be equipped with a serviceable United States Coast Guard approved PFD for each person on board. These regulations, found at N.J.A.C.13:82-1.4, do not specify that the PFD be worn.

The bill also requires the Boat Regulation Commission to adopt the rules and regulations necessary to effectuate the bill's requirements.

The committee amendments provide that the vessel operator would not be guilty of violating the bill's provisions if a United States Coast Guard flotation device of a size to properly fit the child is not commercially available.

According to the National Recreational Boating Safety Coalition, 32 states currently require children to wear PFDs while on board a vessel. Twenty-one of those states require children aged 12 years and under or children under 12 years old to wear PFDs. The other 11 states mandate the wearing of PFDs for children of varying ages under 12 years.

As amended, this bill is identical to Assembly Bill No. 1709(2R), which was released by the committee on this same date.