

By: Senators Cagle of the 49th, Gillis of the 20th and Beatty of the 47th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the registration, operation, and sale of watercraft,
3 so as to exempt certain types of vessels from certain requirements relating to lifesaving
4 devices; to change the penalty for operating certain vessels after the privilege to do so has
5 been suspended; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to the registration, operation, and sale of watercraft, is amended
10 by striking in its entirety paragraph (1) of subsection (d) of Code Section 52-7-8, relating
11 to classifications of vessels and required equipment, and inserting in lieu thereof the
12 following:

13 "(1) Every vessel shall be equipped with and carry aboard, at all times, at least one Type
14 I, II, III, or V (hybrid) personal flotation device for each person on board; provided,
15 however, Type V (hybrid) devices are acceptable only when worn and securely fastened.
16 In addition to the individual personal flotation device, each vessel, except for personal
17 watercraft, as such term is defined in subsection (a) of Code Section 52-7-8.2, canoes,
18 and kayaks, must at all times be equipped with at least one Type IV (throwable) device."

19 **SECTION 2.**

20 Said article is further amended by striking in its entirety subsection (c) of Code Section
21 52-7-12.6, relating to the terms of suspensions of operating privileges, the return of such
22 privileges; and the operation of vessels when such privileges are suspended, and inserting in
23 lieu thereof the following:

24 "(c) Any person who operates a vessel or personal watercraft on any of the waters of this
25 state at a time when such person's privilege to do so has been suspended shall be guilty of
26 a misdemeanor and shall be punished by a fine of not less than \$500.00 nor more than

1 \$1,000.00; provided, however, that for a second and each subsequent conviction within a
2 five year period measured from the date of the previous arrest upon which a conviction was
3 obtained to the date of the current arrest, such person shall be guilty of a misdemeanor of
4 a high and aggravated nature and shall be punished by a fine of not less than \$1,000.00 nor
5 more than \$1,500.00. The period suspension of the privilege to operate a vessel on the
6 waters of the state of any person convicted under this subsection shall be extended for an
7 additional six months for each such conviction."

8 **SECTION 3.**

9 All laws and parts of laws in conflict with this Act are repealed.