

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 172:

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 allow for the operation of certain watercraft without a personal flotation device on
4 board; to revise the types of vessels that are applicable to the operation of watercraft while
5 under the influence of alcohol, toxic vapors, or drugs; to provide for definitions; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to the registration, operation, and sale of watercraft, is amended
11 by revising subsection (d) of Code Section 52-7-8, relating to classification of vessels and
12 required equipment, as follows:

13 "(d) **Lifesaving devices.**

14 (1) Every vessel shall be equipped with and carry aboard, at all times, at least one Type
15 I, II, III, or V (hybrid) personal flotation device for each person on board; provided,
16 however, that Type V (hybrid) devices are acceptable only when worn and securely
17 fastened. In addition to the individual personal flotation device, each vessel 16 feet or
18 more in length, except for canoes and kayaks, must at all times be equipped with at least
19 one Type IV (throwable) device.

20 (2) No person may use a vessel upon the waters of this state unless the personal flotation
21 devices as required in paragraph (1) of this subsection are readily accessible to the
22 occupants of the vessel, are in good and serviceable condition, are legibly marked with
23 the United States Coast Guard approved number, and are of an appropriate size for the
24 occupants of the vessel for whom they are intended; provided, however, that the
25 provisions of this subsection shall not apply to racing sculls, racing shells, ~~and~~ racing
26 sweeps, or homemade or inflatable rafts, as defined in subsection (o) of Code Section

27 52-7-12, if such rafts are operated no more than 100 feet from shore on a lake, pond, or
28 other nonflowing body of water.

29 (3) No person shall operate a moving vessel upon the waters of this state with a child
30 under the age of 13 years on board such vessel unless such child is wearing an
31 appropriately sized personal flotation device, as required by this subsection to be on
32 board the vessel. This requirement shall not apply when the child is within a fully
33 enclosed roofed cabin or other fully enclosed roofed compartment or structure on the
34 vessel."

35 **SECTION 2.**

36 Said article is further amended by revising subsection (o) of Code Section 52-7-12, relating
37 to the operation of watercraft while under the influence of alcohol, toxic vapors, or drugs, as
38 follows:

39 "(o) As used in this Code section, the term '~~personal watercraft~~':

40 (1) 'Homemade or inflatable raft' means any platform which floats on the water for
41 purposes of providing buoyancy to a person and which renders transportation with only
42 the aid of such person's hands, arms, legs, or feet.

43 (2) 'Personal watercraft' shall have the same meaning as set forth in Code Section
44 52-7-8.2.

45 (3) 'Vessel' means every description of watercraft, other than a sailboard or homemade
46 or inflatable raft, used or capable of being used as a means of transportation on water."

47 **SECTION 3.**

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