~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 18, 2009

**S. 195**

Introduced by Senator McConnell

S. Printed 2/18/09--S. [SEC 2/19/09 3:12 PM]

Read the first time January 13, 2009.

**THE COMMITTEE ON FISH, GAME AND FORESTRY**

To whom was referred a Bill (S. 195) to amend Section 50‑21‑870 of the Code of Laws of South Carolina, 1976, relating to the wearing of personal flotation devices on personal watercrafts, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 33 - 35 and inserting:

/ III, or Type V~~;~~. This subsection does not apply if the person is in possession of a personal watercraft that is anchored, or moored to a fixed or stationary floating object, excluding another personal watercraft; /

Renumber sections to conform.

Amend title to conform.

RONNIE W. CROMER for Committee.

**A** **BILL**

TO AMEND SECTION 50‑21‑870 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WEARING OF PERSONAL FLOTATION DEVICES ON PERSONAL WATERCRAFTS, SO AS TO PROVIDE THAT A PERSON IS NOT REQUIRED TO WEAR A PERSONAL FLOTATION DEVICE IF THE PERSON IS IN POSSESSION OF A PERSONAL WATERCRAFT THAT IS LOCATED IN THREE FEET OF WATER OR LESS, AND IS ANCHORED, AND THE ENGINE IS NOT OPERATING.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 50‑21‑870(B) of the 1976 Code is amended to read:

“(B) No person may:

(1)(a) operate, be in possession of, or give permission to operate a personal watercraft or specialty propcraft while upon the waters of this State unless each person aboard the personal watercraft or specialty propcraft is wearing a United States Coast Guard approved personal flotation device, Type I, Type II, Type III, or Type V~~;~~. This subsection does not apply if the person is in possession of a personal watercraft that is located in three feet of water or less, and is anchored, and the engine is not operating;

(b) operate, be in possession of, or give permission to operate a Class ‘A’ motor boat while upon the waters of this State, unless each person under the age of twelve aboard the Class ‘A’ motor boat is wearing a United States Coast Guard approved personal flotation device, Type I, Type II, Type III, or Type V;

Each personal flotation device must be fastened properly, in good and serviceable condition, and the proper size for the person wearing it;”

SECTION 2. This act takes effect upon approval by the Governor.

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