



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 297

**Assembly Substitute
Amendment 1**

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Assembly Bill 297

Current law requires that each boat must have a wearable personal flotation device (PFD) for each person riding in or on the boat. "Boat" is defined broadly to mean "every description of watercraft used or capable of being used as a means of transportation on water."

Assembly Bill 297 prohibits the operation of a boat that is less than 26 feet in length with a motor that has more than 25 horsepower unless, while the boat is under way, every person on the boat who is 12 years old or younger is wearing a PFD or is in a cabin space or below the deck.

Assembly Substitute Amendment 1

The substitute amendment retains the provision regarding boat length, so that the new requirement for a person 12 years old or younger to wear a PFD applies to a boat that is less than 26 feet in length. The substitute amendment eliminates the minimum horsepower requirement. The substitute amendment provides that the requirement for a person who is 12 years of age or under to wear a PFD applies only to recreational boats. The substitute amendment adds a definition of "under way," which is not defined in the bill. This definition is based on U.S. Coast Guard regulations, and a recreational boat is under way if it is not a ground, not anchored, or moored and is not made fast to a structure or to the shore.

Legislative History

Assembly Substitute Amendment 1 was offered by the Assembly Committee on Natural Resources on October 15, 2003. The Assembly Committee on Natural Resources adopted Assembly Substitute Amendment 1 on a vote of Ayes, 7; Noes, 3, and recommended passage as amended on a vote of Ayes, 7; Noes, 3.

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