

4420

2011-2012 Regular Sessions

I N   S E N A T E

April 5, 2011

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Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the navigation law, in relation to the use of personal flotation devices

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (d) of subdivision 1 of section 40 of the navi-  
2     gation law, as amended by chapter 484 of the laws of 2005, is amended to  
3     read as follows:  
4     (d) No person shall operate a pleasure vessel of Class A, one, two or  
5     three as classified and defined in subdivision one of section forty-  
6     three of this article or a rowboat, canoe or kayak nor shall the owner  
7     of such vessel while on board such vessel knowingly permit its opera-  
8     tion, unless each person on such vessel [under the age of twelve] is  
9     wearing a securely fastened United States Coast Guard approved wearable  
10    personal flotation device of an appropriate size when said vessel is  
11    underway. The provisions of this paragraph shall not apply to any person  
12    on such vessel [under the age of twelve] who is within a fully enclosed  
13    cabin.  
14    S 2. This act shall take effect on the thirtieth day after it shall  
15    have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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