

# HOUSE BILL No. 5378

November 13, 1997, Introduced by Reps. Callahan, Mans, LaForge, Anthony, Baade, Gire, Hale, Hanley and Brater and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 80143 (MCL 324.80143), as added by 1995 PA  
58.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 80143. (1) A person shall not operate a personal  
2 watercraft on the waters of the state unless each person riding  
3 on or being towed behind the vessel is wearing a type I, type II,  
4 or type III personal flotation device as described in R 281.1234  
5 of the Michigan administrative code.

6       (2) While operating a personal watercraft equipped by the  
7 manufacturer with a lanyard-type engine cutoff switch on the  
8 waters of the state, a person shall have the lanyard attached to  
9 his or her person, clothing, or personal flotation device as is  
10 appropriate for the specific vessel.

1 (3) A person shall not operate a personal watercraft on the  
2 waters of the state between the hours from sunset to sunrise.

3 (4) A personal watercraft shall at all times be operated in  
4 a reasonable and prudent manner. Maneuvers that unreasonably or  
5 unnecessarily endanger life, limb, or property, including, but  
6 not limited to, weaving through congested vessel traffic, jumping  
7 the wake of another vessel unreasonably or unnecessarily close to  
8 the other vessel or when visibility around the other vessel is  
9 obstructed, and swerving at the last possible moment to avoid a  
10 collision, constitute reckless operation of a vessel, as provided  
11 in section 80147.

12 (5) A person shall not operate a personal watercraft on the  
13 waters of the state carrying more persons than the vessel is  
14 designed to carry. Carrying more persons than the vessel is  
15 designed to carry is prima facie evidence of reckless operation  
16 of a watercraft under section 80147.

17 (6) A person operating a personal watercraft on the waters  
18 of the state shall maintain a distance of 100 feet from any dock,  
19 raft or buoyed or occupied bathing area or shall not cross within  
20 150 feet behind another vessel, other than a personal watercraft,  
21 that is traveling at a speed greater than slow--no wake speed.

22 (7) A person under the age of ~~12~~ 16 shall not operate a  
23 personal watercraft on the waters of the state. A person 12  
24 through ~~15~~ 16 years of age may operate a personal watercraft on  
25 the waters of the state only when accompanied by a person ~~16~~ 17  
26 years of age or older or without adult supervision when in

1 possession of a boating safety certificate in compliance with  
2 section 80141.

3       (8) The owner of a personal watercraft or a person having  
4 charge over or control of a personal watercraft shall not autho-  
5 rize or knowingly permit the personal watercraft to be operated  
6 in violation of subsection (7).

7       (9) This section does not apply to a performer engaged in a  
8 professional exhibition or a person preparing to participate or  
9 participating in a regatta, race, marine parade, tournament, or  
10 exhibition held in compliance with this part.