

**Testimony on SB 142 relating to Personal Floatation Devices  
To  
The House Committee on Agriculture**

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SB 142 seeks to update the approved types of personal floatation devices. **The Department requested introduction and supports the provisions contained in the bill.** The provisions of the bill would be effective upon publication in the statute book.

This change is necessary because current federally approved personal floatation devices (PFDs) are not legal for use in Kansas until this statute and the accompanying regulation are changed.

Boating laws are largely driven by federal law and administered by the United States Coast Guard. When references to types of PFDs change at the federal level, the Department must accommodate this change in regulation but in order to do so, the statute must first be amended. Federal law now refers to wearable and throwable PFDs, and rating classifications are changing from “types” to “level” labeling requirements. Current PFD types in use will still be valid until the PFD becomes unserviceable.

K.S.A. 32-1129 sets out specific types of PFDs to be used by individuals under the age of 12 years of age while aboard a vessel and makes the operator of the vessel responsible for that action. This statute was enacted in 1989 and the specific types of PFDs were referred to in statute, unlike K.S.A. 32-1119, which refers to the regulations of the Department.

The Senate Committee on Agriculture and Natural Resources amended the bill to not require PFDs be worn by individuals under 12 years of age while aboard but in a cabin or enclosed space.

**The Department appreciates the opportunity to address the Committee on the bill and the support of the Committee on the bill.**