

**115-30-3. Personal flotation devices; recreational vessels.** (a) For the purposes of this article of the department's regulations, "PFD" shall mean any personal flotation device that is labeled and approved by the United States coast guard for use on recreational vessels.

(b) Each recreational vessel shall have at least one readily accessible, wearable PFD in serviceable condition on board for each individual in the vessel and at least one wearable PFD on board for each individual being towed. No operator of any recreational vessel shall operate the vessel or allow the vessel to be operated unless each individual 12 years of age or younger wears an approved wearable PFD while being towed behind the vessel or aboard the vessel, unless the individual is below decks or in an enclosed cabin.

(c) To meet the "serviceable condition" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall meet the requirements of 33 C.F.R. 175.23, as in effect on April 29, 1996, which is hereby adopted by reference, and shall be of the appropriate size and fit for the individual to whom the PFD is assigned.

(d) In addition to the provisions of subsection (b), each recreational vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one throwable PFD on board. Each throwable PFD shall be in serviceable condition, labeled as U.S. coast guard-approved, and readily accessible.

(e) Each PFD shall be used in accordance with the requirements of the PFD's label and in accordance with the owner's manual, if the label refers to an owner's manual.

(f) To meet the "readily accessible" requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall be in open view. A required PFD shall not be stowed in locked or closed compartments or be inside plastic or other packaging material. (Authorized by and implementing K.S.A. 2020 Supp. 32-1119 and K.S.A. 32-1129, as amended by L. 2021, ch. 68, sec. 2; effective Oct. 22, 1990; amended March 20, 1995; amended Feb. 28, 1997; amended Dec 27, 2021).