

**Testimony on SB 142 relating to Personal Floatation Devices
To
The Senate Committee on Agriculture and Natural Resources**

**By Brad Loveless
Secretary
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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.

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.

Boating laws are largely driven by federal law and administered by the United States Coast Guard. When references to types of PFDs change the department must accommodate this change in regulations but in order to so, we must first change this statute. 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.

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