

**Testimony on SB 307 relating to Personal Floatation Devices
To
The House Committee on Agriculture**

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SB 307 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.

K.S.A. 32-1129 sets out specific types of personal floatation devices (PFD's) 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 PFD's were referred to in statute, unlike K.S.A. 32-1119, which authorizes the Department to set the PFD types in regulation.

Boating laws are largely driven by federal law and administered by the United States Coast Guard. As such, references to types of PFD's are changing and eventually, we will need to accommodate this change in regulations but in order to do so, we must first change this statute. Federal law now refers to wearable and throwable PFD's 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.



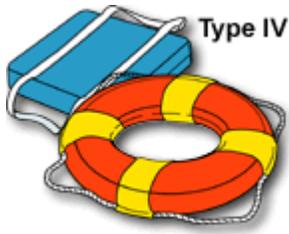
Type I - has the greatest required inherent buoyancy and turns most unconscious persons in the water from a face down position to a vertical and slightly backward position, therefore, greatly increasing one's chance of survival. All Waters.



Type II - intended to turn some unconscious persons from a face down position in the water to a position where the wearer's respiration is not impeded.



Type III - intended to support a conscious person in the water in an upright position. This type of device **is not** required to turn an unconscious person in the water from a face-down position to a position where the wearer's respiration is not impeded.



Type IV – throwable, approved cushions or life rings.



Type V - is approved for restricted uses or activities such as boardsailing, or commercial white-water rafting. These devices may not be suitable for other boating activities. The label indicates whether a particular design of Type V can be used in specific application, what restrictions or limitations apply, and its performance type.

Performance Level Devices:

- Level 50 - intended for use by those who are competent swimmers and who are near to bank or shore, or who have help and a means of rescue close at hand.
- Level 70 - intended for use by those who have help or a means of rescues close at hand, or who are near bank or shore. These devices have minimal bulk, but cannot be expected to keep the user safe for a long period of time in disturbed water.
- Level 100 - intended or those who may have to wait for rescues, but are likely to do so in sheltered water. The device should not be used in rough water.
- Level 150 - intended for general application or for use with foul weather clothing. It will turn an unconscious person into a safe position and requires no subsequent action by the user to maintain this position.
- Level 275 - intended primarily for offshore use under extreme conditions.