

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB1250

House of Origin X Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Poisson

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: **Personal flotation devices required for children; civil penalty.**

5. Summary: Personal flotation devices required for children; civil penalty. Requires children 12 years of age or younger to wear a Type I, II, III, or Type V U.S. Coast Guard-approved personal flotation device on recreational vessels under 21 feet in length. The Director of Game and Inland Fisheries may assess any recreational vessel operator found in violation of this provision a civil penalty of up to \$250. However, this penalty may be waived if the person completes a boating safety education course. All penalties collected are to be paid to the Motorboat and Water Safety Fund of the Game Protection Fund. The bill does not apply to a recreational vessel that is moored or anchored, or to children below deck or in an enclosed cabin. The bill defines a "recreational vessel" as a vessel manufactured or operated for leisure or recreational purposes, or a vessel leased, rented or chartered for noncommercial use. A "recreational vessel" includes motorboats, sailboats, canoes, kayaks, rowboats, and any other vessel capable of being used for transportation on water, when the vessel is being used for other than commercial purposes. This bill contains a delayed enactment clause until January 1, 2009.

6. Fiscal Impact Estimates are: Preliminary. See item 8, below.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: According to the Department of Game and Inland Fisheries, any impact the legislation may have to the department is expected to be minimal and could be absorbed within existing resources. The bill provides for a civil penalty in the amount of \$250. Any revenue from this penalty will be deposited to the Motorboat and Water Safety Fund of the Game Protection Fund.

9. Specific Agency or Political Subdivisions Affected: Department of Game and Inland Fisheries and the Attorney General.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/22/2008 dpbtmw

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cc: Secretary of Natural Resources