

(3) "Personal flotation device" means a Type I, II, ~~OR III~~, or ~~V~~ U.S. Coast Guard approved personal flotation device that is:

- (i) The proper size for the child; and
- (ii) In good and serviceable condition.

(4) (I) "Vessel" means:

[(i)] 1. A vessel used for recreational purposes; or

[(ii)] 2. A vessel leased, rented, or chartered for noncommercial use.

[(5)] (II) "Vessel" does not include a vessel carrying passengers for hire under the command of an individual licensed by the U.S. Coast Guard to carry passengers for hire, or a vessel displaying a valid seafood harvester's license number while engaged in the harvesting of seafood for sale.

(b) (1) A person may not operate or permit the operation of a vessel under 21 feet in length while there is present in the vessel a child not wearing a personal flotation device which is securely and properly attached to the child.

(2) IF THE CHILD IS UNDER THE AGE OF 4 YEARS, THE PERSONAL FLOTATION DEVICE ~~SHALL~~ MAY FEATURE ADDITIONAL SAFETY PRECAUTIONS, AS APPROPRIATE FOR AN INFANT, TODDLER, OR YOUNG CHILD, SO AS TO:

(I) HOLD THE CHILD SECURELY WITHIN THE PERSONAL FLOTATION DEVICE, INCLUDING A STRAP THAT IS SECURED BETWEEN THE CHILD'S LEGS TO FASTEN TOGETHER THE FRONT AND BACK OF THE PERSONAL FLOTATION DEVICE;

(II) MAINTAIN THE BUOYANCY OF THE CHILD, INCLUDING AN INFLATABLE HEADREST OR HIGH COLLAR; OR

(III) ENSURE THE READY ACCESSIBILITY OF THE CHILD FROM THE VESSEL, INCLUDING A WEB HANDLE.

(c) Subsection (b) does not apply to:

- (1) A vessel that is moored or anchored; or
- (2) A child who is below deck or in an enclosed cabin.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Natural Resources

8-743.

- (a) (1) In this section the following words have the meanings indicated.
- (2) "Child" means an individual who: