

**571—37.6(462A) Buoyant safety equipment.**

**37.6(1)** PFDs shall be U.S. Coast Guard-approved. Each PFD must be appropriately sized for the person for whom it is intended and be used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual.

Registered American Power Boat Association (APBA) drivers shall wear an APBA-certified PFD while in competition or practice related to an APBA-sanctioned event.

**37.6(2)** Wearable PFDs. Except as provided in 37.6(4), no person may use a vessel of any length unless at least one wearable PFD is on board for each person.

**37.6(3)** Throwable PFDs. No person may use a vessel 16 feet or more in length, except a canoe or kayak, unless at least one throwable PFD is on board in addition to the PFDs required in 37.6(2).

**37.6(4)** Exceptions. A person using a canoe or kayak that is enclosed by a deck and spray skirt need not comply with 37.6(2) if that person wears a vest-type lifesaving device that:

*a.* Has no less than 150 separate permanently inflated air sacs made of not less than 12 mil polyvinyl chloride film, and has not less than 13 pounds positive buoyancy in fresh water, if that person weighs more than 90 pounds; or

*b.* Has no less than 120 separate permanently inflated air sacs made of not less than 12 mil polyvinyl chloride film and has not less than 8½ pounds positive buoyancy in fresh water, if that person weighs 90 pounds or less.

**37.6(5)** Nonapproved devices. Any PFD that has a torn or missing strap, punctured flotation bag, waterlogged flotation material, rotted material in straps or webbing or cover, missing laces, missing hardware, envelope torn or perforated, torn stitching or any other condition that impairs the operating efficiency, any PFD on which the U.S. Coast Guard approval tag is no longer easily legible, or any inflatable device that has a discharged or otherwise inoperable gas cartridge shall be deemed as not approved for use on board vessels as equipment required by law.

**37.6(6)** Water skis and surfboards. Any person engaged in waterskiing, wakeboarding, wakesurfing, surfboarding, or other similar activity, except for vessels known as windsurfers, shall wear a U.S. Coast Guard-approved wearable PFD that is properly fastened and secured and used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual. Inflatable devices are not approved for waterskiing, wakeboarding, wakesurfing, or tow-behind activities. Skiers participating in a tournament or exhibition may be exempted from the PFD requirement if the skiers are wearing wet suits with built-in flotation and granted a specific exemption in the special events permit issued by the natural resource commission. A flotation wet suit may include a full suit (top and bottom) or a form-fitting top as long as the top will float the wearer when air is expelled from the wearer's lungs. A special event may include practice sessions if all practice sessions for the season are listed on the special event application. In that case, the application shall include a specific location, date and time for each practice session.

**37.6(7)** No person shall operate a vessel on any waters of this state under the jurisdiction of the commission, towing a person or persons on water skis, surfboard, or similar device, nor shall any person engage in waterskiing, wakeboarding, wakesurfing, surfboarding, or similar activities, at any time between the hours of one-half hour after sunset to sunrise.

**37.6(8)** Personal watercraft (PWCs). All operators and passengers of PWCs must wear a U.S. Coast Guard-approved wearable PFD that is properly fastened and secured and used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual. Inflatable PFDs are not approved for use on personal watercraft.

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