HOUSE DOCKET, NO. 444 FILED ON: 1/11/2013

HOUSE . . . . . No. 2194

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to kayak safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William M. Straus	*10th Bristol*

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HOUSE . . . . . No. 2194

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 2194) of William M. Straus relative to kayak safety. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *664* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to kayak safety.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of chapter 90B of the General laws, as appearing in the 200 8 Official Edition, is hereby amended by inserting after the definition of "Boating accident" the following definition:-

"Canoe", a narrow, light boat, the sides of which meet in a point at each end, which is moved by 1 or more paddles.

SECTION 2. Said section 1 of said chapter 90B, as so appearing, is hereby further amended by inserting after the definition of "Jet skis" the following definition:-

"Kayak", a lightweight boat that is covered, except for a single or double opening in the center, which is propelled by a paddle.

SECTION 3. Said section 5A of said chapter 90B, as so appearing, is hereby futher amended by inserting in the first sentence after the word "vessel" the following:-

"including canoes and kayaks"

SECTION 4. Said chapter 90B is hereby further amended by inserting after section 13A the following section:¬-

15 Section 13B. Whoever holds himself out as a kayak instructor for hire shall obtain and
16 maintain:

17 (i) first aid training approved by the department of public health;

18 (ii) cardiopulmonary resuscitation training approved by the department of public health;
19 and

20 (iii) a kayak instructor certification from the American Canoe Association, small craft
21 safety certification from the American Red Cross and basic water rescue or equivalent water
22 training.

23 The instructor shall train students on the safety procedures appropriate to the level of
24 paddling difficulty. Wet exit training shall be required of all beginners and novice level operators
25 who use an attached spray skirt during any part of the kayak instructional session. For the
26 purposes of this section, "wet exit training" shall mean the practice of escaping from a capsized
27 kayak in a controlled water setting. A liability release that limits an instructor's responsibility to
28 comply with this section shall be void.