

13:82–1.4 Personal flotation devices

(a) No person shall operate or allow any person to operate any vessel in or on the waters of this State unless such vessel has a serviceable United States Coast Guard approved personal flotation device (PFD) readily accessible for each person on board. Such PFD shall be of the type(s) and number(s) required by the United States Coast Guard for a vessel of that class operating on navigable waters. This section applies to all vessels except surfboards, racing shells, rowing sculls and racing kayaks.

(b) In accordance with N.J.S.A. 12:7–47.1, every person who operates a vessel on the waters of this State with a child 12 years of age or younger on board shall have the child wear a properly fitted United States Coast Guard approved PFD whenever the vessel is underway. The PFD shall be fully secured by all means provided in accordance with the manufacturer’s instructions.

(c) Subsection (b) above shall not apply when the child is inside a fully enclosed cabin that is a permanent, non-removable part of the vessel that is intended by the vessel’s manufacturer to carry passengers.

(d) The following classes of vessels shall be exempt from the requirements of (b) above and (f) below:

1. Vessels owned and operated by the United States;

2. Vessels owned or operated by the State of New Jersey or an agency thereof, a county, a municipality, a volunteer first aid, rescue or emergency squad, a search and rescue unit established within a fire district created pursuant to N.J.S.A. 40A:14–70 or a volunteer fire company created pursuant to N.J.S.A. 40A:14–70.1 when a child is on board as a direct result of being rescued from an emergency situation;

3. Commercial vessels; and

4. Ferries.

(e) For the purposes of this section, “commercial vessel” means any vessel longer than 65 feet operated for a purpose that requires a United States Coast Guard Operator’s or Master’s License. “Ferry” means any vessel longer than 65 feet operating on a short run on a frequent schedule between two points offering a public service of a type normally attributed to a bridge or tunnel.

(f) No owner or operator of a recreational vessel less than 26 feet, including rowboats, canoes, kayaks, and stand-up paddleboards shall permit its operation between November 1st and May 1st, unless each person on board such vessel is wearing a securely fastened United States Coast Guard-approved wearable personal flotation device of an appropriate size while such vessel is underway. A person inside the cabin of a cabin vessel shall be exempt from this requirement.