

Original Text: Cal. Code Regs. Tit. 14 § 6565.5

Except as provided in Section 6565.6:

(a) Effective January 1, 1998, no person may use a recreational boat unless at least one PFD of the following types is on board for each person:

- (1) Type I PFD,
- (2) Type II PFD, or
- (3) Type III PFD.

(b) Prior to January 1, 1998, a Type IV may be carried in lieu of any Type I, II, or III PFD, for each person on board a recreational boat less than 16 feet in length or any canoe or kayak of any length.

(c) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless

- (1) One Type IV PFD is on board, and
- (2) At least one PFD of the following types is on board for each person:
 - (i) Type I PFD;
 - (ii) Type II PFD; or
 - (iii) Type III PFD.

Original Text: Cal. Code Regs. Tit. 14 § 6565.6. Exceptions.

A Type V PFD may be carried in lieu of any PFD required under Section 6565.5 provided:

(a) The approval label on the Type V PFD indicates that the device is approved:

- (1) For the activity in which the boat is being used; or
- (2) As a substitute for a PFD of the Type required on the boat in use;
- (b) The PFD is used in accordance with any requirements on the approval label; and
- (c) The PFD is used in accordance with requirements in its owner's manual, if the approval label makes reference to such a manual.

Original Text: Cal. Code Regs. Tit. 14 §§ 6565.7. Stowage

(a) No person may use a recreational boat unless each Type I, II or III PFD required by Section 6565.5 or equivalent type allowed by 6565.6 is readily accessible.

(b) No person may use a recreational boat unless each Type IV PFD required by Section 6565.5 or equivalent type allowed by 6565.6 is immediately available.

Issue #1, Life jacket terminology change

Action needed

- Pursuant to Corrective Action Plan (CAP) letter #16755, dated October 31, 2023, Deficiencies in the Law Enforcement element require corrective legislative action, and all corrective legislative action must be signed into law by the Governor prior to December 1, 2024.

Authority to Act

14 CCR § 6565.5 & 14 CCR § 6565.6

46 CFR 160

79 FR 56491 publication removing terminology Federal Register: [Here](#)

USCG letter 16755, CAP/Desk Review, dated 05.04.2023

HNC Code: 652

In response to USCG desk review, it was noted that our state regulation was out of compliance with life jacket or personal flotation device standards terminology.

CHANGE NEEDED:

14 CCR § 6565.5

Cal. Code Regs. Tit. 14 § 6565.5

Section 6565.5 – Personal Flotation Devices Required

(a) Effective January 1, 1998, no person may use a recreational boat unless: ~~- at least one PFD of the following types is on board for each person:~~

(1) ~~Type I PFD,~~ **At least one wearable United States Coast Guard approved PFD of an appropriate size and type for the person for whom it is intended is on board and readily accessible for each person;**

(2) ~~Type II PFD, or~~ **Each PFD is used in accordance with any requirements on the approval label; and**

~~(3) Type III PFD~~ Each PFD is used in accordance with any requirements in its owner's manual, if the approval label makes reference to such a manual.

(4) A personal flotation device required by this paragraph is readily accessible for use in an emergency if:

(A) It is being worn; or

(B) It is stowed in close proximity to the operator of the vessel and in a position to be quickly thrown to a person overboard by either the operator or a passenger.

(C) Out of its original packaging; and

(D) Not under lock and key.

(b) Prior to January 1, 1998, a ~~Type IV~~ throwable may be carried in lieu of any ~~Type I, II, or III~~ PFD, for each person on board a recreational boat less than 16 feet in length or any canoe or kayak of any length.

(c) No person may use a recreational vessel ~~boat~~ 16 feet or more in length, except a canoe or kayak, unless one United States Coast Guard approved throwable PFD, such as a ring life buoy or buoyant cushion, is onboard, so placed as to be readily accessible for use in an emergency, in addition to the total number of wearable PFDs required in paragraph (a) of this section. A throwable PFD required by this paragraph is readily accessible for use in an emergency if:

(1) It is stowed in close proximity to the operator of the vessel and in a position to be quickly thrown to a person overboard by either the operator or a passenger; and

(2) Out of its original packaging; and

(3) Not under lock and key.

~~(1) One Type IV PFD is on board, and~~

~~(2) At least one PFD of the following types is on board for each person:~~

~~(i) Type I PFD;~~

~~(ii) Type II PFD; or~~

~~(iii) Type III PFD~~

Cal. Code Regs. Tit. 14, § 6565.5

Note: Authority cited: Sections 652, 658.3 and 669, Harbors and Navigation Code.

Reference: Section 652, Harbors and Navigation Code.

1. New section filed 8-26-77; effective thirtieth day thereafter (Register 77, No. 35).
2. Editorial correction of NOTE filed 10-11-85 (Register 85, No. 41).
3. Change without regulatory effect amending subsections (a)(1)-(a)(3) filed 7-2-92 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 28).
4. Editorial correction of printing errors (Register 92, No. 28).
5. Amendment of section and Note filed 7-24-96; operative 8-23-96 (Register 96, No. 30).

14 CCR § 6565.6

§ 6565.6. Exceptions.

A ~~Type V~~ **Special Use**, PFD may be carried in lieu of any PFD required under Section 6565.5 provided:

(a) The approval label on the ~~Type V~~ **Special Use** PFD indicates that the device is approved:

- (1) For the activity in which the boat is being used; or
 - (2) As a substitute for a PFD of the Type required on the boat in use;
- (b) The PFD is used in accordance with any requirements on the approval label; and
- (c) The PFD is used in accordance with requirements in its owner's manual, if the approval label makes reference to such a manual.

~~14 CCR § 6565.7~~

~~§ 6565.7. Stowage.~~

~~(a) No person may use a recreational boat unless each Type I, II or III PFD required by Section 6565.5 or equivalent type allowed by 6565.6 is readily accessible.~~

~~(b) No person may use a recreational boat unless each Type IV PFD required by Section 6565.5 or equivalent type allowed by 6565.6 is immediately available.~~

Credits

~~NOTE: Authority cited: Sections 652 and 669, Harbors and Navigation Code. Reference: Section 652, Harbors and Navigation Code.~~

HISTORY

1. New section filed 8-26-77; effective thirtieth day thereafter (Register 77, No. 35).

2. Editorial correction of NOTE filed 10-11-85 (Register 85, No. 41).
3. Amendment filed 10-17-92; operative 11-18-91 (Register 92, No. 30).
4. Amendment of NOTE filed 7-24-96; operative 8-23-96 (Register 96, No. 30).

This database is current through 3/15/24 Register 2024, No. 11.

Cal. Admin. Code tit. 14, § 6565.7, 14 CA ADC § 6565.7

§ 6565.2. Definitions.

As used in sections 6565.2 through 6565.8:

(a) “Boat” means any vessel manufactured or used primarily for noncommercial use; leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

(~~e~~b) “Passenger” means every person carried on board a vessel other than:

(1) The owner or his representative;

(2) The operator;

(3) Bona fide members of the crew engaged in the business of the vessel who have contributed no consideration for their carriage and who are paid for their services; or

(4) Any guest on board a vessel which is being used exclusively for pleasure purposes who has not contributed any consideration, directly or indirectly, for his carriage.

(c) “Personal Flotation Device” or PFD means a device that is approved by the Commandant under 46 CFR part 160.

(~~e~~d) “Racing shell, rowing scull, racing canoes and racing kayak,” means a manually-propelled boat that is recognized by national or international racing associations for use in competitive racing and one in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and is not designed to carry and does not carry any equipment not solely for competitive racing.

(~~b~~e) “Recreational boat” means any vessel manufactured or used primarily for noncommercial use; or leased, rented, or chartered to another for the latter's noncommercial use. It does not include a vessel engaged in the carrying of six or fewer passengers.

(f) “Throwable PFD” means a PFD that is intended to be quickly thrown to a person overboard by either the operator or a passenger. A PFD marked as Type IV or Type V with Type IV performance is considered a throwable PFD. Unless specifically marked otherwise, a wearable PFD is not a throwable PFD.

(g) “Use” means operate, navigate, or employ.

(h) “Vessel” includes every description of watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

(i) “Wearable” PFD means a PFD that is intended to be worn or otherwise attached to the body. A PFD marked as Type I, Type II, Type III, or Type V with Type (I, II or III) performance is considered a wearable PFD.

~~§ 6565.4. Definitions.~~

Currentness

~~As used in sections 6565.2 through 6565.8:~~

~~(a) “Personal flotation device” means a device that is approved by the Commandant under 46 CFR Part 160.~~

~~(b) “PFD” means “personal flotation device.”~~