

## NASBLA MODEL ACT FOR USE OF EPIRB-PLB-VHF-FM RADIO ON WATERCRAFT

*This act was approved by the membership of the National Association of State Boating Law Administrators on Sept. 21, 2005. Originally requested of NASBLA by the National Boating Safety Advisory Council at its October 2004 meeting, the model was developed by the NASBLA Boats & Associated Equipment Committee after reviewing legislation adopted in Hawaii in 2003.\**

*The provisions of this NASBLA model act require recreational vessels more than one mile off shore to be equipped with a properly functioning Emergency Position Indicating Radio Beacon (EPIRB), Personal Locator Beacon (PLB), or VHF-FM radio. The model exempts certain watercraft when closely accompanied by a vessel in compliance with the act.*

*The beneficiaries of the act – intended for adoption by U.S. coastal and Great Lakes states – include boaters, the general public in terms of less costly offshore rescue operations, and rescue personnel by making their jobs easier and safer.*

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*\*Senate Bill No. 42; act effective Jan. 1, 2004.*

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1      Section 1. [Short Title.] This act may be cited as the Use of EPIRB-PLB-VHF-FM Radio Act.

1      Section 2. [Definitions.] As used in this act:

2      (1) “Emergency position indicating radio beacon” or “EPIRB” means an electronic device  
3 that, when activated, transmits a distress call on a designated emergency frequency to a radio or  
4 satellite receiver and is used by rescue personnel to locate the position of the signal.

5      (2) “Personal Locator Beacon” or “PLB” means an electronic device operating at 406 MHz  
6 as a Category 1 PLB as defined by the Radio Technical Commission for Maritime Services.

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

1      Section 3. [Applicability.]

2      (a) The provisions of this act apply:

3          (1) On all coastal waters within the jurisdiction of this state beyond one mile of shore.

4          (2) To the following types of vessels:

5              (i) Vessels required to be numbered by a state or documented by the United States Coast  
6 Guard; or

7              (ii) Manual or sail propelled vessels not required to be numbered by a state or documented  
8 by the United States Coast Guard.

9      (b) Canoes, kayaks, personal watercraft and training sailboats shall be exempt from this act  
10 when closely accompanied by at least one vessel that complies with Section 4 of this act.

**EPIRB - PLB-VHF Radio Mandatory Use – Approved Sept. 21, 2005**

1      Section 4. [*EPIRB-PLB-VHF-FM Radio Requirement.*] No person shall operate any vessel  
2 described in Section 3(2) of this act unless the vessel is equipped with a properly functioning  
3 fixed mount or handheld marine VHF-FM radio (156-162 MHZ band) [within 20 miles of  
4 shore], emergency position indicating radio beacon (EPIRB), or personal locator beacon (PLB).  
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6      Section 5. [*EPIRB Specifications.*] Emergency position indicating radio beacons shall be  
7 approved by the Federal Communications Commission and COSPAS-SARSAT, an international  
8 search and rescue organization. The emergency position indicating radio beacons shall be  
9 registered with the National Oceanic and Atmospheric Administration.

1      Section 6. [*Penalty for Violation.*] A violation of this act constitutes a [insert offense and  
2 penalty(ies)].

1      Section 7. [*Effective Date.*] [Insert effective date.]