**41:04:05:02.  Life preservers required.** Life preservers are required on boats operated on the public waters, as follows:

(1)  All boats less than 16 feet long must have on board one Coast Guard-approved wearable personal flotation device for each person;

(2)  All boats, other than canoes and kayaks, 16 feet long or more must have on board one Coast Guard-approved wearable personal flotation device for each person and one Coast Guard-approved throwable device; and

(3)  All boats towing persons on water skis, aquaplanes, knee boards, float tubes, air chairs, or similar devices must have on board a Coast Guard-approved wearable personal floatation device for each person being towed, except if the person being towed has a wearable Coast Guard-approved personal flotation device in the person's possession.

All flotation devices required by this section must be in serviceable condition, of an appropriate size for the persons for whom they are intended and readily accessible by those persons.

**Source:** SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 21 SDR 207, effective June 5, 1995; 29 SDR 21, effective August 26, 2002; 30 SDR 99, effective December 22, 2003; 46 SDR 74, effective December 2, 2019.

**General Authority:** SDCL 32-3A-1(1).

**Law Implemented:** SDCL 32-3A-1(1).