

HOUSE No. 2281

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

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2 SECTION 1. Section 1 of Chapter 90B of the General laws, as appearing in the 2004
3 Official Edition, is hereby amended by inserting after the definition of “Jet skis” the following
4 definition: - “Kayak”, a lightweight boat that is covered, except for a single or double opening in
5 the center thereof, and is propelled by a paddle.

6 SECTION 2. Said Chapter 90B is hereby further amended by inserting after section 13A
7 the following section:-

8 SECTION13b. Anyone who holds himself out as a kayak instructor for hire shall obtain
9 and maintain:

10 First aid training approved by the department of public health;

11 Cardiopulmonary resuscitation training approved by the department of public health; and

12 Kayak instructor certification from the American Canoe Association, American Red
13 Cross certification in small craft safety and basic water rescue, or equivalent water training.

14 The instructor shall train students on the safety procedures appropriate to the level of
15 paddling difficulty. Wet exit training, which is defined as the practice of escaping from a kayak
16 while capsized in a controlled water setting, shall be required of beginners or novice level only if
17 a “spray skirt” is attached during any part of the kayak instructional session.

18 A liability release that limits an instructor’s responsibility to comply with this section
19 shall be void.