



# **105 CMR 432.000: *Minimum Requirements for Personal Flotation Devices for Minor Children at Municipal and Recreational Programs and Camps***

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**Public Health Council**  
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## Presentation Overview

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### **105 CMR 432.000:** *Minimum Requirements for Personal Flotation Devices for Minor Children at Municipal and Recreational Programs and Camps*

- Background
- Public Comments
- Revisions to proposed regulations based on public comments
- Next Steps



## Background

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- These new regulations implement requirements of M.G.L. Chapter 111, §127A<sup>1/2</sup>, also known as “Christian’s Law”, to ensure that municipal and recreational programs and camps have a system in place to make available personal flotation devices (PFDs) to children who are determined to be either non-swimmers or at-risk swimmers.
- The law only applies to swimming or diving areas at marine or freshwater beaches and explicitly excludes swimming pools, wading pools and other artificial bodies of water.



## Background

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Christian's Law was enacted in 2012, and requires all municipal and recreational programs or licensed camps conducting swimming activities at fresh or saltwater beaches to:

1. Ensure that all minors are swim tested at the first swimming session.
2. Make available a Type I, II, or III personal flotation device (PFD) to all minor children determined to be either a non-swimmer or an at-risk swimmer, and
3. Allow parents or legal guardians to provide their own PFD to their child if they so choose.



## Background

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- An informational briefing on the regulations was presented to the Public Health Council on December 14, 2016.
- A public comment period ran from December 16, 2016 - February 3, 2017.
- Two public hearings were held:
  - January 27, 2017 in Worcester
  - January 30, 2017 in Boston



## Public Comments

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Public comments were received from seven (7) stakeholders:

- Town of Andover, Massachusetts
- Town of Barnstable, Massachusetts
- Boston Inspectional Services (ISD)
- Massachusetts Alliance of Boys & Girls Clubs
- Massachusetts Camping Association (MCA)
- Massachusetts Recreation and Park Association (MRPA)
- The Alliance of Massachusetts YMCAs



## Proposed Revisions

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### 432.010: Definitions

- **YMCA**: Definition revised based on comment from the YMCA to change "YMCA of America" to "National Council of Young Men's Christian Association d/b/a YMCA of the USA".



## Proposed Revisions

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### 432.050: System Requirements

- Based on comments received, a new section added to outline and clarify the requirements specified in 105 CMR 432.100 through 105 CMR 432.130.
- In order to assist stakeholders with implementation, the Department will issue guidance and will provide best practices to help achieve compliance with the law and regulation.





## Next Steps

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- Staff requests the Public Health Council approve the proposed regulation for promulgation.
- Following Public Health Council approval, the Department will file the regulation with the Secretary of the Commonwealth for publication.