

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1254

S. P. 378

In Senate, March 30, 1977

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Cummings of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Regulate the Use and Possession of Compressed Air for the
Purpose of Scuba Diving.

Be it enacted by the People of the State of Maine, as follows:

8 MRSA c. 28 is enacted to read:

CHAPTER 28

SCUBA DIVING

§ 801. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Scuba diving. "Scuba diving" means diving or sub-surface swimming conducted in any body of water during which self-contained underwater breathing apparatus is employed.

§ 802. Certification cards required for supplying compressed air

Any supplier of compressed air, licensed pursuant to Title 22, which is intended for use in scuba diving within the jurisdictional waters of this State, shall, prior to filling or supplying any underwater breathing apparatus with compressed air, require visual proof that the individual, company, corporation or group purchasing or receiving the compressed air is certified for the usage of underwater breathing apparatus. The department shall designate certain nationally recognized certification cards which, when bearing the name of the purchaser or recipient, shall constitute visual proof of certification pursuant to this section, including, but not limited to, cards

issued by the National Association of Skin Diving Schools, National Association of Underwater Instructors, Professional Association of Diving Instructors, and Young Mens Christian Association of Los Angeles County.

§ 803. **Exhibition of certification card**

Any person using any breathing apparatus with compressed air for the purpose of scuba diving shall have on his possession at all times while scuba diving and shall, upon demand of any warden or any authorized employee of the Department of Inland Fisheries and Wildlife or the Department of Marine Resources, exhibit a certification card designated by the department pursuant to section 802, bearing his name.

§ 804. **Exceptions**

The provisions of sections 802 and 803 shall not apply to authorized individuals, companies or corporations engaged in commercial marine construction or commercial salvage operations.

§ 805. **Revocation of license**

The department shall revoke any license granted pursuant to Title 22 when the holder thereof is found to have violated any provisions of sections 802 or 803. The revocation shall be for a period of one year.

§ 806. **Penalties**

Violation of any provisions of sections 801 through 805 shall be a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

STATEMENT OF FACT

This bill would require that a supplier of compressed air for scuba diving require that a purchaser or receipt show proof of certification for the use of breathing apparatus before supplying compressed air. It would also require that users of compressed air for scuba diving carry and present upon demand to authorized state officials, certification cards.