

TITLE 3: HUMAN RESOURCES
DIVISION 5: PUBLIC SAFETY

§ 5603. Definitions.

As used in this chapter:

(a) “Certified” means a person who has been licensed by a national or international dive organization approved by the Department of Finance by regulation in consultation with the Department of Public Safety.

(b) “Liability insurance” means a valid insurance policy insuring against legal liability for death, injury, or disability of any human being.

(c) “Scuba diving tour” means to accompany scuba divers underwater as a guide for gain.

(d) “Scuba instruction” means to teach any course of instruction in scuba diving for gain.

(e) “Tour leader” means that person employed by a business to dive with customers and guide them underwater who is assigned by the business the duty of overall supervision of a dive and the primary responsibility for the safety of customers. The tour leader may be assisted by one or more employees in guiding customers on a dive; however, none of these guides shall be considered a tour leader.

Source: PL 7-47, § 5 (§ 5602); subsection (a) amended by PL 16-6, § 3(b).

Commission Comment: PL 16-6 was enacted on July 11, 2008 and contained a short title, purpose, severability, and savings provisions. PL 16-6 stated:

Section 1. Short Title. This Act may be cited as the “Divers Safety First Act of 2008.”

Section 2. Purpose. The primary purpose of this Act is to strengthen the Safe Diving Act of 1990 by enlisting the enforcement and technical assistance of the Department of Public Safety. This Act authorizes DPS to issue citations to those who operate businesses for scuba instruction or scuba diving tours without meeting or maintaining the requirements established by law. DPS may also work in conjunction with the Department of Finance and the Department of Lands and Natural Resources to assess the level of difficulty of each dive site throughout the Commonwealth and set forth pertinent restrictions to ensure the safety of divers.