



## **S.F. No. 1346 – Permitting and occupational safety requirements for commercial diving operations (1st Engrossment)**

**Author:** Senator Liz Boldon

**Prepared by:** Carlon Doyle Fontaine, Senate Counsel  
(carlon.doyle.fontaine@mnsenate.gov)

**Date:** March 3, 2025

---

**S.F. 1346** would add safety requirements for commercial diving operations that use self-contained underwater breathing apparatus (scuba) equipment to the natural resources permitting process and workplace occupational safety laws.

Section 1. **Citation.** Provides that this act be cited as the “Brady Aune and Joseph Anderson Safety Act.”

Section 2. **[103G.615, subd. 1] Issuance; validity.** Specifies the conditions under which the commissioner of natural resources (DNR) may issue a commercial mechanical control permit for aquatic plants. Requires an applicant to: (1) inform the commissioner whether scuba diving equipment will be used during any activity authorized by the permit; and (2) provide documentation, including a written report, of a third-party on-site hazard survey of the applicant’s work using scuba diving equipment completed by a qualified safety professional.

Section 2 is effective October 1, 2025, and applies to permits issued on or after that date.

Section 3. **[103G.615, subdivision 3] Permit standards.** Prohibits the DNR commissioner from issuing or renewing an aquatic plant management permit to a person who has, or has contested, one or more willful violations of an occupational safety and health (OSHA) standard involving scuba diving in the previous two years or during the pendency of a contested case. Prohibits issuance of a permit to a successor person. Provides a definition of “successor person.”

Section 3 is effective October 1, 2025, and applies to violations committed on or after that date.

Section 4. **[182.679] Commercial diving operations.** Subdivision 1. **Application.** Applies this section to individuals who conduct scuba diving at a place of employment when making improvements to land, including the removal of aquatic plants.

Subdivision 2. **Certification required for commercial diving operations.** Prohibits an employer from allowing an individual subject to this section to conduct scuba diving unless the individual has (1) a valid open water scuba diver certificate, or a more advanced certificate, from a nationally recognized and accredited certification program or agency; and (2) completed CPR and first-aid certification training.

Subdivision 3. **Equipment requirements.** Requires use of prescribed equipment when an individual subject to this section is scuba diving, including (1) a buoyancy control device; (2) an illuminated dive beacon; (3) fins, mask, and snorkel; (4) a compressed gas cylinder and valve; (5) a primary regulator and alternate air source; (6) a breathing gas monitor; (7) a depth monitoring device; (8) a quick-release weight system and weights; (9) adequate exposure protection; (10) at least one audible emergency surface-signaling device; and (11) a dive computer or recreational dive planner.

Subdivision 4. **Additional safety measures.** Requires an employer to have an individual with a valid rescue diver certificate to also be onsite when an individual subject to this section is scuba diving.

Subdivision 5. **Penalties.** Authorizes an employer to be cited for violations of the scuba certification and equipment requirements.

Subdivision 6. **Information for employers.** Requires the commissioner to develop an information sheet explaining the requirements for employers who have employees that use scuba diving equipment in the workplace.

Section 4 is effective May 1, 2025.



Senate Counsel, Research, and Fiscal Analysis provides nonpartisan legislative, legal, fiscal, and analytical services to the Minnesota Senate. This document can be made available in different formats upon request.

[www.senate.mn/scrfa/home](http://www.senate.mn/scrfa/home) | 651-296-4791  
95 University Ave. W., STE 3300, Saint Paul, MN, 55155