

SENATE BILL REPORT

SB 5217

As Reported By Senate Committee On:
Ecology & Parks, February 14, 1995

Title: An act relating to personal flotation devices.

Brief Description: Requiring personal flotation devices for children on certain recreational vessels.

Sponsors: Senators Owen, Rinehart, Swecker, McAuliffe, C. Anderson, Winsley and Kohl; by request of Parks and Recreation Commission.

Brief History:

Committee Activity: Ecology & Parks: 1/24/95, 2/14/95 [DPS].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5217 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe, McDonald and Swecker.

Staff: Kari Guy (786-7437)

Background: Under current state law, vessels operating on waters of the state must have a personal flotation device (life jacket) on board for each person on the vessel. Life jackets are required to be accessible, in serviceable condition, and of an appropriate size. Federal law also requires that recreational vessels have life jackets accessible for all individuals on board.

State law requires that life jackets be worn when individuals are engaged in water skiing, are being towed by a vessel, or are operating a personal watercraft.

Washington State has a higher than average rate of fatalities from boating accidents. It is suggested that requiring children to wear life jackets on smaller vessels will help reduce the number of boating-related fatalities.

Summary of Substitute Bill: Children nine years or younger must wear a personal flotation device on vessels under 19 feet in length whenever the vessel is underway.

A violation of this requirement is a misdemeanor if the vessel is carrying passengers for hire. If the vessel is not carrying passengers for hire, a violation of this requirement is a civil infraction.

Substitute Bill Compared to Original Bill: The size of the vessel subject to the personal flotation device requirement is decreased from 26 feet to 19 feet, and the age of the child required to wear a personal flotation device is lowered from 12 years to nine years of age.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill is a reasonable, responsible step to provide an extra measure of safety for children involved in boating activities. It will help reduce the number of boating-related fatalities involving children.

Testimony Against: The bill is not necessary, nor is it practical. There are no convincing statistics to demonstrate that requiring life jackets would make a difference in the number of fatalities.

Testified: PRO: Cleve Pinnix, State Parks and Recreation Commission; Bill Weister, Grant County Sheriff; Ross Herberholz, WA Boating Safety Officers; Capt. T.M. Nutting, U.S. Coast Guard; Dr. Linda Quan, Children's Hospital Medical Center; Tony Gomez, Seattle-King County Health Dept.; Elizabeth Bennett, Children's Hospital Medical Center; Gretchen Hurder; CON: Herb Stevenson, Dave Williams, Recreation Boating Assn. of WA.