

HOUSE BILL REPORT

SSB 5094

As Reported By House Committee On:
Natural Resources

Title: An act relating to personal flotation devices.

Brief Description: Concerning personal flotation devices.

Sponsors: Senate Committee on Natural Resources, Parks & Recreation (originally sponsored by Senators Oke, Jacobsen, B. Sheldon, Bauer, Gardner, T. Sheldon, Fairley, Fraser, Winsley, McAuliffe, Long, Eide, Kohl-Welles, Costa, Haugen and McCaslin).

Brief History:

Committee Activity:

Natural Resources: 3/31/99, 4/2/99 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Requires that all persons 12 years and under wear a personal flotation device while on an underway vessel that is less than 19 feet.
- Allows enforcement as a primary action.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 9 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; Clements; Doumit; Eickmeyer; Rockefeller and Stensen.

Minority Report: Do not pass. Signed by 3 members: Representatives G. Chandler; Ericksen and Pennington.

Staff: Josh Weiss (786-7129).

Background:

No person may operate a vessel on the waters of the state without having a personal flotation device such as a life jacket on board for each person on the vessel. Each flotation device must be in serviceable condition, of appropriate size, and readily accessible.

Generally, state law requires boaters to have a life jacket or other flotation device on board the vessel for each person rather than requiring boaters actually to wear a flotation device. There are, however, some exceptions to this general rule. For example, water skiers, personal watercraft users, and participants on vessels carrying passengers for hire on white- water rivers all must wear personal flotation devices.

Summary of Amended Bill:

No person is allowed to operate a vessel that is less than 19 feet on the waters of the state with a child 12 years and under, unless the child is wearing a personal flotation device that meets or exceeds U.S. Coast Guard approval standards, while the vessel is underway. Two exceptions are provided: 1) if the child is below deck or in the cabin of a boat; or 2) if the vessel is an approved passenger-carrying vessel operating on the navigable waters of the United States.

Enforcement may be accomplished as a primary action.

Amended Bill Compared to Substitute Bill: The amended bill removes the exception for persons on board a vessel at a time and place where no person would reasonably expect a danger of drowning to occur. The amended bill adds language clarifying that personal flotation devices that meet or exceed U.S. Coast Guard standards are adequate.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill will save lives. The exception for persons on board a vessel at a time and place where no person would reasonably expect a danger of drowning to occur gives enforcement officers needed flexibility.

Testimony Against: None.

Testified: (In support) Senator Bob Oke, prime sponsor.