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**SENATE BILL 5918**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Lovelett, Warnick, Van De Wege, Conway, Hasegawa, Hobbs, King, Wilson, C., Randall, Nguyen, Dhingra, Frockt, Hawkins, Billig, Das, Hunt, Darneille, Wagoner, and Palumbo

Read first time 02/15/19. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to providing whale watching guidelines in the  
2 boating safety education program; and amending RCW 79A.60.630.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 79A.60.630 and 2011 c 171 s 118 are each amended to  
5 read as follows:

6 (1) The commission shall establish and implement by rule a  
7 program to provide required boating safety education. The boating  
8 safety education program shall include training on preventing the  
9 spread of aquatic invasive species. The boating safety education  
10 program shall include educational materials regarding whale watching  
11 guidelines and other voluntary and regulatory measures related to  
12 whale watching. The program shall be phased in so that all boaters  
13 not exempted under RCW 79A.60.640(3) are required to obtain a boater  
14 education card by January 1, 2016. To obtain a boater education card,  
15 a boater shall provide a certificate of accomplishment issued by a  
16 boating educator for taking and passing an accredited boating safety  
17 education course, or pass an equivalency exam, or provide proof of  
18 completion of a course that meets the standard adopted by the  
19 commission.

20 (2) As part of the boating safety education program, the  
21 commission shall:

1 (a) Establish a program to be phased over eleven years starting  
2 July 1, 2005, with full implementation by January 1, 2016. The period  
3 July 1, 2005, through December 31, 2007, will be program development,  
4 boater notification of the new requirements for mandatory education,  
5 and processing cards to be issued to individuals having taken an  
6 accredited course prior to January 1, 2008. The schedule for phase-in  
7 of the mandatory education requirement by age group is as follows:  
8 January 1, 2008 - All boat operators twenty years old and younger;  
9 January 1, 2009 - All boat operators twenty-five years old and  
10 younger;  
11 January 1, 2010 - All boat operators thirty years old and younger;  
12 January 1, 2011 - All boat operators thirty-five years old and  
13 younger;  
14 January 1, 2012 - All boat operators forty years old and younger;  
15 January 1, 2013 - All boat operators fifty years old and younger;  
16 January 1, 2014 - All boat operators sixty years old and younger;  
17 January 1, 2015 - All boat operators seventy years old and younger;  
18 January 1, 2016 - All boat operators;

19 (b) Establish a minimum standard of boating safety education  
20 accomplishment. The standard must be consistent with the applicable  
21 standard established by the national association of state boating law  
22 administrators;

23 (c) Adopt minimum standards for boating safety education course  
24 of instruction and examination that ensures compliance with the  
25 national association of state boating law administrators minimum  
26 standards;

27 (d) Approve and provide accreditation to boating safety education  
28 courses operated by volunteers, or commercial or nonprofit  
29 organizations, including, but not limited to, courses given by the  
30 United States coast guard auxiliary and the United States power  
31 squadrons;

32 (e) Develop an equivalency examination that may be taken as an  
33 alternative to the boating safety education course;

34 (f) Establish a fee of ten dollars for the boater education card  
35 to fund all commission activities related to the boating safety  
36 education program created by chapter 392, Laws of 2005, including the  
37 initial costs of developing the program. Any surplus funds resulting  
38 from the fees received shall be distributed by the commission as  
39 grants to local marine law enforcement programs approved by the  
40 commission as provided in RCW 88.02.650;

1           (g) Establish a fee for the replacement of the boater education  
2 card that covers the cost of replacement;

3           (h) Consider and evaluate public agency and commercial  
4 opportunities to assist in program administration with the intent to  
5 keep administrative costs to a minimum;

6           (i) Approve and provide accreditation to boating safety education  
7 courses offered online; and

8           (j) Provide a report to the legislature by January 1, 2008, on  
9 its progress of implementation of the mandatory education program.

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