

# **HOUSE BILL ANALYSIS**

## **SSB 5094**

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**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).

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### **HOUSE COMMITTEE ON NATURAL RESOURCES**

**Meeting Date:** March 31, 1999.

**Bill Analysis Prepared by:** Josh Weiss, Counsel (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 Bill:** No person is allowed to operate a vessel on the waters of the state with a child 12 years and under, unless the child is wearing a U.S. Coast Guard approved personal flotation device while the vessel is underway. Three exceptions are provided: 1) if the child is below deck or in the cabin of a boat; 2) if the vessel is an approved passenger-carrying vessel operating on the navigable waters of the United States, and; 3) if the child is on board a vessel at a time and place where no person would reasonably expect a danger of drowning to occur.

Enforcement may be accomplished as a primary action.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

***Rulemaking Authority:*** None.

***Passed Senate:*** 2/19/99, 34-10