

HOUSE BILL REPORT

HB 1707

As Reported by House Committee On:
Community & Economic Development

Title: An act relating to requiring the wearing of personal flotation devices on kayaks, canoes, and stand-up paddleboards.

Brief Description: Requiring the wearing of personal flotation devices on kayaks, canoes, and stand-up paddleboards.

Sponsors: Representatives Ryu, Davis, Ramel, Senn and Pollet.

Brief History:

Committee Activity:

Community & Economic Development: 1/14/22, 1/18/22 [DP].

Brief Summary of Bill

- Requires the wearing of personal flotation devices on kayaks, canoes, and stand-up paddleboards, with exceptions.

HOUSE COMMITTEE ON COMMUNITY & ECONOMIC DEVELOPMENT

Majority Report: Do pass. Signed by 7 members: Representatives Ryu, Chair; Paul, Vice Chair; Donaghy, Frame, Johnson, J., Rule and Taylor.

Minority Report: Do not pass. Signed by 4 members: Representatives Boehnke, Ranking Minority Member; Chase, Assistant Ranking Minority Member; Jacobsen and Kraft.

Minority Report: Without recommendation. Signed by 1 member: Representative Corry.

Staff: Emily Poole (786-7106).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

A person may not operate a vessel on the waters of the state without a personal flotation device on board for each person on the vessel. A violation of these rules is an infraction punishable by a fine if the vessel is not carrying passengers for hire. If the vessel is carrying passengers for hire, a violation of these rules is a misdemeanor punishable by a fine and up to 90 days in jail.

A person may not operate a vessel under 19 feet in length on the waters of this state with a child 12 years old and under unless the child is wearing a personal flotation device while the vessel is underway.

The following circumstances are excepted:

- while a child is below deck or in the cabin of a boat with an enclosed cabin;
- while a child is on a United States Coast Guard inspected passenger-carrying vessel operating on the navigable waters of the United States; or
- while on board a vessel at a time and place where no person would reasonably expect a danger of drowning to occur.

A violation of these rules regarding flotation devices on vessels under 19 feet in length is an infraction punishable by a fine.

Summary of Bill:

A person may not operate a kayak, canoe, or stand-up paddleboard on the waters of this state unless the person is wearing a personal flotation device while underway, except when the person is:

- operating or occupying a squirt boat;
- part of certain sanctioned competitions or an event organized by a federally recognized tribe;
- under the direct supervision of a coach or trainer;
- participating in yoga under specified conditions;
- on a stand-up paddleboard, wearing a connecting leash, and in compliance with federal flotation device requirements; or
- a member of a federally recognized tribe.

A violation of this requirement is an infraction punishable by fine.

If a person cited for a violation of this requirement provides proof of federally recognized tribal membership, the citation must be dismissed, and the court may assess court administrative costs of \$25 at the time of dismissal.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2022.

Staff Summary of Public Testimony:

(In support) It is appropriate to require users of kayaks, canoes, and stand-up paddleboards to wear personal flotation devices. This bill has the potential to make water recreation safer and save lives. In the past five years, there were 38 reportable fatalities in the state where kayaks, canoes, or stand-up paddleboards were involved. In 26 of those incidents, the individual was not wearing a personal flotation device. Wearing a personal flotation device saves lives, especially in cold water. Choosing to not wear a personal flotation device is a cultural and social phenomenon. Males wear personal flotation devices less frequently than females. There is strong data to support the effectiveness of policies requiring that life jackets be worn. For groups that are required to wear personal flotation devices, such as people being towed and people operating personal watercraft, there is a very high rate of actual usage. Education should be combined with policy. This bill relies on the expertise of waterway users. This bill is targeted enough that it can be enforced.

(Opposed) None.

(Other) Legislation may not be the right approach. Safety in paddlesports has improved over the last decade. The rate of fatalities has decreased over the last five years to fewer than one in 100,000 participants. Alcohol is often a contributing factor in drowning incidents.

Persons Testifying: (In support) Representative Cindy Ryu, prime sponsor; Doug Levy, Recreational Boating Association of Washington; Elizabeth Bennett; Rob Sendak, Washington State Parks and Recreation Commission; Jim Virgin, Washington State Parks Boating Program Advisory Council; Linda Quan; and Tony Gomez, Public Health-Seattle and King County.

(Other) Thomas O'Keefe, American Whitewater.

Persons Signed In To Testify But Not Testifying: None.