

CERTIFICATION OF ENROLLMENT

**ENGROSSED HOUSE BILL 1014**

Chapter 310, Laws of 1999

56th Legislature  
1999 Regular Session

PERSONAL FLOTATION DEVICES--CHILDREN

EFFECTIVE DATE: 7/25/99

Passed by the House April 25, 1999  
Yeas 61 Nays 35

CLYDE BALLARD  
**Speaker of the House of Representatives**

FRANK CHOPP  
**Speaker of the House of Representatives**

Passed by the Senate April 8, 1999  
Yeas 33 Nays 12

BRAD OWEN  
**President of the Senate**

Approved May 14, 1999

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1014** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 14, 1999 - 6:20 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED HOUSE BILL 1014

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AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Carlson, Regala, Ogden, Pennington, Hatfield, Hurst, Stensen, Buck, Romero, Kastama, Scott, McIntire, Keiser, Cooper, Ballasiotes, Schual-Berke, Murray, Cody, Voloria, Rockefeller and Lantz

Read first time 01/11/1999.                      Referred to Committee on Natural Resources.

1            AN ACT Relating to personal flotation devices; amending RCW  
2 88.12.115; and prescribing penalties.

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

4            **Sec. 1.** RCW 88.12.115 and 1993 c 244 s 14 are each amended to read  
5 as follows:

6            (1) No person may operate or permit the operation of a vessel on  
7 the waters of the state without a personal flotation device on board  
8 for each person on the vessel. Each personal flotation device shall be  
9 in serviceable condition, of an appropriate size, and readily  
10 accessible.

11            (2) Except as provided in RCW 88.12.015, a violation of subsection  
12 (1) of this section is an infraction under chapter 7.84 RCW if the  
13 vessel is not carrying passengers for hire.

14            (3) A violation of subsection (1) of this section is a misdemeanor  
15 punishable under RCW 9.92.030, if the vessel is carrying passengers for  
16 hire.

17            (4) No person shall operate a vessel under nineteen feet in length  
18 on the waters of this state with a child twelve years old and under,  
19 unless the child is wearing a personal flotation device that meets or

1 exceeds the United States coast guard approval standards of the  
2 appropriate size, while the vessel is underway. For the purposes of  
3 this section, a personal flotation device is not considered readily  
4 accessible for children twelve years old and under unless the device is  
5 worn by the child while the vessel is underway. The personal flotation  
6 device must be worn at all times by a child twelve years old and under  
7 whenever the vessel is underway and the child is on an open deck or  
8 open cockpit of the vessel. The following circumstances are excepted:

9 (a) While a child is below deck or in the cabin of a boat with an  
10 enclosed cabin;

11 (b) While a child is on a United States coast guard inspected  
12 passenger-carrying vessel operating on the navigable waters of the  
13 United States; or

14 (c) While on board a vessel at a time and place where no person  
15 would reasonably expect a danger of drowning to occur.

16 (5) Except as provided in RCW 88.12.015, a violation of subsection  
17 (4) of this section is an infraction under chapter 7.84 RCW.  
18 Enforcement of subsection (4) of this section by law enforcement  
19 officers may be accomplished as a primary action, and need not be  
20 accompanied by the suspected violation of some other offense.

Passed the House April 25, 1999.

Passed the Senate April 8, 1999.

Approved by the Governor May 14, 1999.

Filed in Office of Secretary of State May 14, 1999.