
**Housing, Community Development &
Veterans Committee**

HB 2443

Brief Description: Requiring the use of personal flotation devices on smaller vessels.

Sponsors: Representatives Ryu and Davis.

Brief Summary of Bill

- Requires a person 13 years old or older operating or riding on a vessel under 19 feet in length to wear a personal flotation device that meets or exceeds the United States Coast Guard approval standards of the appropriate size while the vessel is underway, with exceptions.

Hearing Date: 1/21/20

Staff: Cassie Jones (786-7303).

Background:

No person may operate or permit the operation of a vessel on the waters of the state without a personal flotation device on board for each person on the vessel. Each personal flotation device must be in serviceable condition, of an appropriate size, and readily accessible. A violation of these rules regarding personal flotation devices 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.

No person shall 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 that meets or exceeds the United States Coast Guard approval standards of the appropriate size, while the vessel is underway. A personal flotation device is not considered readily accessible for children 12 years old and under unless the device is worn by the child while the vessel is underway. The personal flotation device must be worn at all times by a child 12 years old and under whenever the vessel

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is underway and the child is on an open deck or open cockpit of the vessel except in the following circumstances:

- 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 is an infraction punishable by a fine.

A "personal flotation device" means a buoyancy device, life preserver, buoyant vest, ring buoy, or buoy cushion that is designed to float a person in the water and that is approved by the Parks and Recreation Commission.

A "vessel" includes every descriptions of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. It does not include inner tubes, air mattresses, sailboards, and small rafts or flotation devices or toys customarily used by swimmers.

Summary of Bill:

A person 13 years old or older operating or riding on a vessel under 19 feet in length on the waters of this state must wear a personal flotation device that meets or exceeds the United States Coast Guard approval standards of the appropriate size while the vessel is underway unless the person is:

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

A law enforcement officer must issue a warning to operators or passengers for a first violation of this rule related to personal flotation devices. A subsequent violation of this rule is an infraction punishable by a fine.

Appropriation: None.

Fiscal Note: Requested on January 15, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.