

CERTIFICATION OF ENROLLMENT

SENATE BILL 5918

Chapter 293, Laws of 2019

66th Legislature
2019 Regular Session

BOATING SAFETY EDUCATION PROGRAM--WHALE WATCHING GUIDELINES

EFFECTIVE DATE: July 28, 2019

Passed by the Senate April 22, 2019
Yeas 48 Nays 1

CYRUS HABIB

President of the Senate

Passed by the House April 12, 2019
Yeas 90 Nays 5

FRANK CHOPP

Speaker of the House of Representatives

Approved May 8, 2019 2:58 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5918** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

May 13, 2019

**Secretary of State
State of Washington**

SENATE BILL 5918

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

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; amending RCW 79A.60.630; and
3 creating a new section.

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

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

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

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

3 (a) Establish a program to be phased over eleven years starting
4 July 1, 2005, with full implementation by January 1, 2016. The period
5 July 1, 2005, through December 31, 2007, will be program development,
6 boater notification of the new requirements for mandatory education,
7 and processing cards to be issued to individuals having taken an
8 accredited course prior to January 1, 2008. The schedule for phase-in
9 of the mandatory education requirement by age group is as follows:

10 January 1, 2008 - All boat operators twenty years old and younger;

11 January 1, 2009 - All boat operators twenty-five years old and
12 younger;

13 January 1, 2010 - All boat operators thirty years old and younger;

14 January 1, 2011 - All boat operators thirty-five years old and
15 younger;

16 January 1, 2012 - All boat operators forty years old and younger;

17 January 1, 2013 - All boat operators fifty years old and younger;

18 January 1, 2014 - All boat operators sixty years old and younger;

19 January 1, 2015 - All boat operators seventy years old and younger;

20 January 1, 2016 - All boat operators;

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

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

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

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

36 (f) Establish a fee of ten dollars for the boater education card
37 to fund all commission activities related to the boating safety
38 education program created by chapter 392, Laws of 2005, including the
39 initial costs of developing the program. Any surplus funds resulting
40 from the fees received shall be distributed by the commission as

1 grants to local marine law enforcement programs approved by the
2 commission as provided in RCW 88.02.650;

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

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

8 (i) Approve and provide accreditation to boating safety education
9 courses offered online; and

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

12 NEW SECTION. **Sec. 2.** If specific funding for the purposes of
13 this act, referencing this act by bill or chapter number, is not
14 provided by June 30, 2019, in the omnibus appropriations act, this
15 act is null and void.

Passed by the Senate April 22, 2019.

Passed by the House April 12, 2019.

Approved by the Governor May 8, 2019.

Filed in Office of Secretary of State May 13, 2019.

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