

WSR 23-03-002
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed January 5, 2023, 9:03 a.m.]

Subject of Possible Rule Making: Establishing new rule under chapter 352-60 WAC and mechanically propelled personal hydrofoils (MPPH) and mechanically propelled surfboards (MPS); establishing new rule under chapter 352-60 WAC for engine cut-off switch; and revision to WAC 352-60-020 Definitions and 352-60-080 Fire extinguisher.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 79A.05.030(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1 U.S.C. 3, 46 U.S.C. Chapter 43 and 123, and 33 C.F.R. [C.F.R.] Subchapter S govern MPPH, MPS, and personal watercraft (PWC). Currently, Washington state has not adopted appropriate regulations to address MPPH or MPS as required by the above federal regulations.

46 U.S.C. Chapter 43 governs the requirements for engine cut-off switches. Currently, Washington state has not adopted appropriate regulations to address engine cut-off switches as required by 46 U.S.C. Chapter 43.

WAC 352-60-020 requires a number of additions to clarify existing and new rules, as well as to assist with enforcement of chapter 79A.60 RCW.

46 C.F.R. Part 30-20 establishes the requirements for marine use fire extinguishers. This update is necessary to ensure that state statute is consistent with the current regulations under C.F.R. It is also necessary to ensure that state and local law enforcement and our citizens better understand the federal, state, and local requirements for required equipment-fire extinguisher.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Coast Guard (USCG) is the federal agency tasked with regulating recreational boating within the United States of America through 46 C.F.R. as well as other C.F.[R.]s. Coordination is accomplished through the USCG District 13 Recreational Boating Safety Specialist.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Matthew M. Stowers, 111 Israel Road S.W., phone 360-791-4668, fax 360-586-6603, TTY 800-833-6388, email matt.stowers@parks.wa.gov, website www.parks.wa.gov, <https://www.parks.wa.gov/>.

January 5, 2023
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