

2 SHB 2544 - S COMM AMD

3 By Committee on Environment & Natural Resources

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 88.12.010 and 1933 c 72 s 1 are each amended to read
8 as follows:

9 (1) "Darkness" is herein defined to be that period between one-half
10 hour after sunset and one-half hour before sunrise.

11 (2) "Waters", as used herein, are defined as any lake, pond or
12 other body of water.

13 (3) "Motor driven boats and vessels" are defined herein as all
14 boats and vessels which are self propelled.

15 (4) "Capacity label" means the label required by the United States
16 coast guard to be installed by the manufacturer that lists the maximum
17 number of persons, maximum weight, and maximum horsepower as
18 appropriate for that vessel.

19 (5) "Vessel" means every watercraft used or capable of being used
20 as a means of transportation on the water, other than a seaplane."

21 "NEW SECTION. Sec. 2. A new section is added to chapter 88.12 RCW
22 to read as follows:

23 (1) A person shall not operate, or permit to be operated, a vessel
24 that is loaded or powered beyond its maximum person, weight, or
25 horsepower capacity as stated on the required United States coast guard
26 capacity label, taking into consideration weather and other normal
27 operating conditions.

1 (2) In the absence of the United States coast guard carrying
2 capacity label, the capacity of the vessel shall be determined by a
3 method adopted in rule by the state parks and recreation commission.
4 A person shall not operate, or permit to be operated, a vessel that is
5 loaded or powered beyond the capacity determined by the method adopted
6 in rule by the state parks and recreation commission.

7 (3) A violation of this section is a class 2 civil infraction."

8 "Sec. 3. RCW 88.12.060 and 1933 c 72 s 6 are each amended to read
9 as follows:

10 Any violation of the provisions of this chapter shall be a
11 misdemeanor, except as provided in section 2(3) of this act."

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15 On page 1, line 1 of the title, after "safety;" strike the
16 remainder of the title and insert "amending RCW 88.12.010 and
17 88.12.060; adding a new section to chapter 88.12 RCW; and prescribing
18 penalties."