

HOUSE BILL REPORT

HB 2544

*As Reported By House Committee on:
Natural Resources & Parks*

Title: An act relating to boating safety.

Brief Description: Prohibiting the operation of vessels loaded beyond their safe carrying capacity ratings.

Sponsor(s): Representatives Belcher and Beck.

Brief History:

Reported by House Committee on:
Natural Resources & Parks, February 7, 1992, DPS.

**HOUSE COMMITTEE ON
NATURAL RESOURCES & PARKS**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 11 members: Representatives Belcher, Chair; Scott, Vice Chair; Beck; Brumsickle; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Staff: Randy Acker (786-7129).

Background: Overloading and overpowering boats have been significant factors in recent state boating fatalities. Since 1984, 27 percent of the fatal recreational boating accidents in our state that resulted in 50 deaths, were a result of overpowering and/or overloading boats.

U.S. Coast Guard regulations require that boat manufacturers install a capacity plate on the boat. The plates provide guidelines for total weight, total persons, and maximum horsepower capacities the boat is capable of handling safely; there is, however, no enforcement provision in the regulations. As a result, law enforcement officers have no recourse to correct a problem.

Summary of Substitute Bill: A person shall not operate a vessel loaded or powered beyond its maximum person, weight or horsepower capacity as stated on the required United States Coast Guard capacity label; or, in the absence of a capacity label, no person shall exceed the capacity of the boat as determined by a method adopted in rule by the State

Parks and Recreation Commission. A violation of this section is a class II civil infraction.

Substitute Bill Compared to Original Bill: The substitute makes technical changes and deletes discretionary language that would have permitted consideration of weather and other normal operating conditions in determining the capacity of a boat.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Overpowering and over capacity contribute to boating accidents and deaths. Data from a 10 year period show that 30 percent of the drowning deaths in the state are boating related, nearly twice the national average. This bill will help to tell the public what the safe limits are. It will also assist the boating public by creating a consistent statewide law.

Testimony Against: None.

Witnesses: Jim French, State Parks and Recreation Commission (in favor); Ken Carlson, Olympia Police Department (in favor); Dave Bodine, Cowlitz County Sheriff's Office (in favor); Ross Herberholz, Pierce County Sheriff's Office (in favor); Darren O'Neil, Lewis County Sheriff's Office (in favor); and Ilene Kasten, Department of Health (in favor).