
HOUSE BILL 2544

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Belcher and Beck

Read first time 01/20/92. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to boating safety; amending RCW 88.02.010; adding
2 a new section to chapter 88.02 RCW; and prescribing penalties.

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

4 **Sec. 1.** RCW 88.02.010 and 1983 c 7 s 14 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Vessel" means every watercraft used or capable of being used
9 as a means of transportation on the water, other than a seaplane.

10 (2) "Owner" means a person who has a lawful right to possession of
11 a vessel by purchase, exchange, gift, lease, inheritance, or legal
12 action whether or not the vessel is subject to a security interest.

1 (3) "Dealer" means a person, partnership, association, or
2 corporation engaged in the business of selling vessels at wholesale or
3 retail in this state.

4 (4) "Department" means the department of licensing.

5 (5) "Capacity label" means the label required by the United States
6 coast guard to be installed by the manufacturer that lists the maximum
7 number of persons, maximum weight, and maximum horsepower as
8 appropriate for that vessel.

9 NEW SECTION. Sec. 2. A new section is added to chapter 88.02 RCW
10 to read as follows:

11 (1) A person shall not operate or permit to be operated a vessel
12 that is loaded or powered beyond its maximum person, weight, or
13 horsepower capacity as stated on the required United States coast guard
14 capacity label, taking into consideration weather and other normal
15 operating conditions. Where the capacity information of a vessel is
16 specified by the manufacturer, these specifications shall be considered
17 the maximum persons, weight, or horsepower for purposes of this
18 section.

19 (2) In the absence of the United States coast guard carrying
20 capacity label or the carrying capacity information from the
21 manufacturer, the capacity of the watercraft shall be determined by a
22 method adopted in rule by the state parks and recreation commission.

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