

HOUSE BILL REPORT

SSB 5179

As Reported By House Committee On:
Environmental Affairs

Title: An act relating to vessel safety.

Brief Description: Promoting vessel safety.

Sponsors: Senate Committee on Ecology & Parks (originally sponsored by Senators Owen, Barr, Fraser, Rinehart and Sutherland).

Brief History:

Reported by House Committee on:
Environmental Affairs, March 22, 1993, DPA.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: Do pass as amended. Signed by 12 members: Representatives Rust, Chair; Flemming, Vice Chair; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; J. Kohl; Linville; Roland; and Sheahan.

Staff: Harry Reinert (786-7110).

Background: Washington statutes provide safety requirements for the operation of vessels. These include the manner of operation, running lights, noise control, life preservers, accident reporting, life saving equipment, and other requirements. Vessel owners or operators who carry passengers for hire are also required to meet specific safety standards.

Washington law does not establish any requirements for propane leak detection equipment on vessels. Propane fuel in its gaseous state is heavier than air and a propane fuel leak in a vessel may lead to a buildup of flammable gases in the hold of the vessel.

The Washington Parks and Recreation Commission has authority to establish a program for boat waste management, including providing assistance for the installation of sewage pump out stations at marinas and boat ramps.

Most vessels are required to be registered with the state and display a decal issued by the Department of Licensing. Commercial vessels, such as commercial fishing boats and charter boats, which have valid marine documents issued by the United States are exempt from the registration requirements.

Summary of Amended Bill: Beginning July 1, 1994, a vessel registered in the state, or a commercial vessel exempt from registration, which is used primarily for recreational purposes or is chartered primarily for recreational purposes must have propane leak detection sensors and warning devices if the vessel is equipped with a propane-fueled heating or cooking system. Failure to have a leak detection device is an infraction punishable by a penalty not to exceed \$500. From July 1, 1994 to September 1, 1994, a person violating this requirement shall be issued a warning notice rather than a notice of infraction.

The Parks and Recreation Commission is directed to request the United States Coast Guard to adopt standards governing the installation of propane leak detection devices. If the Coast Guard is not reasonably likely to adopt the standards by April 1, 1994, the commission shall adopt rules to provide such standards.

On or after July 1, 1994, it shall be unlawful to offer for sale or manufacture within the state a recreational vessel with propane heating or cooking equipment that is not equipped with leak detection devices. It shall also be unlawful to modify a recreational vessel in any way that causes the vessel to be out of compliance with the warning device requirements. A violation of these provisions is a misdemeanor with a maximum term of imprisonment of 90 days and a maximum fine of \$1000.

If a court holds any provision of the state law to be preempted by federal law, the commission shall submit the state provision to the federal government for an exemption from preemption pursuant to federal law.

Amended Bill Compared to Substitute Bill: The amended bill clarifies the vessels that are subject to the requirements to have leak detection devices.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Propane is a very dangerous substance to use on board vessels because it is heavier than air and builds

up in the hold. Without a sensor to detect leaks from on board propane tanks and equipment, an explosion may occur before the propane leak can be detected by smell. Leaks can easily occur around fittings that connect propane tanks with the heating or cooking equipment.

Testimony Against: None.

Witnesses: Senator Brad Owen, prime sponsor (pro); Senator Karen Fraser (pro); Jack Swanberg, Northwest Marine Trades Association (pro); and Bob Wilder, Washington State Parks and Recreation Commission (pro).