

# HOUSE BILL REPORT

## SSB 6538

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As Passed House  
March 3, 1994

**Title:** An act relating to boating safety education.

**Brief Description:** Changing recreational boating safety education regarding fire prevention.

**Sponsors:** Senators Owen and Oke.

**Brief History:**

Reported by House Committee on:  
Natural Resources & Parks, February 23, 1994, DP.  
Passed House, March 3, 1994, 96-1.

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### HOUSE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass. Signed by 11 members:  
Representatives Pruitt, Chair; R. Johnson, Vice Chair;  
Stevens, Ranking Minority Member; and McMorris, Assistant  
Ranking Minority Member; Dunshee; Linville; Schoesler;  
Sheldon; B. Thomas; Valle; and Wolfe.

**Staff:** Linda Byers (786-7129).

**Background:** The Federal Boat Safety Act directs the Coast Guard to establish minimum safety standards for recreational vessels and associated equipment. The federal law contains a provision which preempts state standards which are not identical to federal standards. A state may petition for an exemption from this provision to address unique circumstances in the state.

In 1993 the Legislature enacted legislation requiring the installation of sensors and warning devices in vessels equipped with liquid petroleum gas (LPG) systems. The legislation was enacted in response to incidents where LPG ignited, resulting in explosions on the vessels. The State Parks and Recreation Commission was directed to request that the Coast Guard adopt standards for these sensors and warning devices. If the commission determined that federal standards were not likely to be adopted by a certain date, the commission was directed to adopt its own standard.

As directed in the 1993 legislation, the State Parks and Recreation Commission requested the Coast Guard to adopt LPG

warning systems standards. The Coast Guard responded by letter declining to adopt such standards, based on the recommendations of the National Boat Safety Advisory Council. The correspondence also indicated that any standard for these devices adopted by the commission would automatically be preempted because of the lack of a similar federal requirement. The commission then suspended its rule-making process and began to explore alternative ways to provide for the safety of boaters who use LPG-fueled appliances.

**Summary of Bill:** The State Parks and Recreation Commission will incorporate into its boating safety program an intensified boating fire protection program, with special emphasis on preventing fires and carbon monoxide poisoning caused by auxiliary fuels and appliances. The program shall include education of boaters on safety practices needed to operate heaters, stoves and other appliances. The commission shall report to the Legislature biennially on the effects of boating safety programs on the state's boating accident and fatality rate.

The 1993 legislation requiring LPG warning systems on vessels is repealed.

**Fiscal Note:** Available.

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

**Testimony For:** The legislation passed last session was for an important purpose: to help avoid loss of life. The state is, however, subject to federal standards, and the law passed last year cannot be implemented. The intensified education program is a good alternative and will help make boating safer. The new elements will be incorporated into the existing boating safety program which will help keep costs down.

**Testimony Against:** None.

**Witnesses:** Linda Mitchell, representing Senator Brad Owen, prime sponsor; Cleve Pinnix and Jim French, State Parks and Recreation Commission; Captain Ted Nutting, U.S. Coast Guard; Jack Swanburg, Northwest Marine Trade Association; and Dave Williams, Recreational Boating Association of Washington (all in favor).