

FINAL BILL REPORT

SSB 6538

C 151 L 94

SYNOPSIS AS ENACTED

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

SPONSORS: Senate Committee on Ecology & Parks (originally sponsored by Senators Owen and Oke)

SENATE COMMITTEE ON ECOLOGY & PARKS

HOUSE COMMITTEE ON NATURAL RESOURCES & PARKS

BACKGROUND:

In response to recent boating accidents caused by the ignition of propane fuel, the Legislature enacted legislation requiring vessels with liquid petroleum gas (LPG) systems to be equipped with vapor warning systems. The State Parks and Recreation Commission was directed to request the Coast Guard to adopt standards for such systems or to adopt rules.

The federal Boat Safety Act delegates to the Coast Guard the authority to regulate equipment and safety measures on vessels, and includes a provision preempting state standards that are not identical to the federal standards. An additional provision of the act allows states to petition for an exception to this preemption, so that a state's standards may remain effective.

Pursuant to the 1993 state legislation, the State Parks and Recreation Commission requested the Coast Guard to adopt LPG warning system standards. The Coast Guard responded by letter declining to adopt such standards, based upon recommendations from a boating safety advisory council. The letter cited an opinion from its legal counsel that a state standard would be invalid in the absence of express federal approval, and delineated the information the state should provide in seeking an exception to the federal preemption.

SUMMARY:

The State Parks and Recreation Commission shall incorporate an emphasis on fire prevention into its boating safety program. It shall include distribution of educational materials and opportunities for educating boaters on safety practices in operating heaters, stoves and other appliances. The commission will report biennially to the Legislature on the effects of state and local safety programs, and recommend new safety and accident prevention measures.

The 1993 legislation requiring LPG warning systems on vessels is repealed.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	96	1

EFFECTIVE: June 9, 1994