

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6538

Chapter 151, Laws of 1994

53rd Legislature
1994 Regular Session

BOATING SAFETY--FIRE PREVENTION PROGRAM

EFFECTIVE DATE: 6/9/94

Passed by the Senate February 10, 1994
YEAS 47 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 3, 1994
YEAS 96 NAYS 1

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 28, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6538** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 28, 1994 - 11:57 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6538

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

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

Read first time 02/03/94.

1 AN ACT Relating to boating safety education; amending RCW 88.12.500
2 and 43.51.400; adding a new section to chapter 88.12 RCW; and repealing
3 RCW 88.12.510, 88.12.520, 88.12.530, and 88.12.540.

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

5 **Sec. 1.** RCW 88.12.500 and 1993 c 469 s 1 are each amended to read
6 as follows:

7 (1) The legislature finds that:

8 (a) Washington state has the greatest length of marine shoreline
9 miles of the lower forty-eight states;

10 (b) Such marine waters and the extensive freshwater lakes and
11 rivers of the state provide innumerable recreational opportunities, and
12 support a state recreational vessel population that is one of the
13 largest in the country;

14 (c) Many of Washington's popular recreational waters are remote
15 from population centers and thus remote from emergency health care
16 facilities;

17 (d) Washington's climate in the western portion of the state, in
18 which its marine recreational waters lie, is cool and wet for much of
19 the year. Much of the state's recreational vessel activity is

1 conducted in the late fall and winter months in connection with fishing
2 activities. For these reasons the great majority of Washington vessels
3 are equipped with heating devices. These appliances are in use for a
4 much greater portion of the boating season than in other states, and
5 are predominantly fueled by liquid petroleum gas;

6 (e) Current state and federal standards governing heating and
7 cooking appliances on vessels that are fueled by liquid petroleum gas
8 do not adequately protect against undetected gas leaks. Such gas leaks
9 have led to explosions on Washington waters, causing loss of life and
10 property damage;

11 ~~((A vessel equipped with leak detection and warning devices
12 will greatly reduce the potential for the ignition of liquid petroleum
13 gas which may have escaped into the hold of the vessel, yet such
14 devices are not currently required either by federal standards or
15 Washington law))~~ The commission coordinates a state-wide program of
16 boating safety education to communicate accident prevention information
17 to boaters at risk of fires, explosions, and other hazards, and
18 administers a boating accident reporting program to assess the
19 effectiveness of accident prevention measures.

20 (2) It is the intent of the legislature to address the state's
21 unique local circumstances regarding inadequate protection of
22 Washington's boaters from undetected leaks of liquid petroleum gas-
23 fueled appliances by ~~((requiring leak detection and warning devices to
24 be placed on those vessels most at risk. It is further the intent of
25 the legislature in this action to exercise the authority to address
26 such local circumstances recognized in federal laws which otherwise
27 preempt the field of establishing safety standards for vessels))~~
28 incorporating into the boating safety program an intensified boating
29 fire prevention program with special emphasis on preventing fires and
30 carbon monoxide poisoning caused by auxiliary fuels and appliances.

31 NEW SECTION. Sec. 2. A new section is added to chapter 88.12 RCW
32 to read as follows:

33 The commission shall undertake a state-wide recreational boating
34 fire prevention education program concerning the safe use of marine
35 fuels and electrical systems and the hazards of carbon monoxide. The
36 boating fire prevention education program shall provide for the
37 distribution of fire safety materials and decals warning of fire
38 hazards and for educational opportunities to educate boaters on the

1 safety practices needed to operate heaters, stoves, and other
2 appliances in Washington's unique aquatic environment. The commission
3 shall evaluate the boating public's voluntary participation in the
4 program and the program's impact on safe boating.

5 **Sec. 3.** RCW 43.51.400 and 1984 c 183 s 4 are each amended to read
6 as follows:

7 The state parks and recreation commission shall:

8 (1) Coordinate a state-wide program of boating safety education
9 using to the maximum extent possible existing programs offered by the
10 United States power squadron and the United States coast guard
11 auxiliary;

12 (2) Adopt rules in accordance with chapter 34.05 RCW, consistent
13 with United States coast guard regulations, standards, and precedents,
14 as needed for the efficient administration and enforcement of this
15 section;

16 ~~(3) ((Develop by January 31, 1984, a state wide inventory of marine
17 state parks and recreational facilities operated by other state and
18 local agencies that are available for marine related use by persons
19 owning boats in this state;~~

20 ~~(4))~~ Enter into agreements aiding the administration of this
21 chapter;

22 ~~((+5))~~ (4) Adopt and administer a casualty and accident reporting
23 program consistent with United States coast guard regulations;

24 ~~((+6))~~ (5) Adopt and enforce recreational boating safety rules,
25 including but not necessarily limited to equipment and navigating
26 requirements, consistent with United States coast guard regulations;

27 ~~((+7))~~ (6) Coordinate with local and state agencies the
28 development of biennial plans and programs for the enhancement of
29 boating safety, safety education, and enforcement of safety rules and
30 laws; allocate money appropriated to the commission for these programs
31 as necessary; and accept and administer any public or private grants or
32 federal funds which are obtained for these purposes under chapter 43.88
33 RCW;

34 (7) Biennially report to the legislature the effects of the
35 combined efforts of state and local boating safety programs on the
36 state's boating accident and fatality rate. The report shall assess
37 and recommend new or alternative fire safety and accident prevention

1 laws adopted in other states as well as successful programs employed by
2 government or industry; and

3 (8) Take additional actions necessary to gain acceptance of a
4 program of boating safety for this state under the federal boating
5 safety act of 1971.

6 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
7 repealed:

8 (1) RCW 88.12.510 and 1993 c 469 s 2;

9 (2) RCW 88.12.520 and 1993 c 469 s 3;

10 (3) RCW 88.12.530 and 1993 c 469 s 4; and

11 (4) RCW 88.12.540 and 1993 c 469 s 5.

Passed the Senate February 10, 1994.

Passed the House March 3, 1994.

Approved by the Governor March 28, 1994.

Filed in Office of Secretary of State March 28, 1994.