

2 **ESB 5242** - H COMM AMD **ADOPTED 2-24-98**  
3 By Committee on Natural Resources

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 88.12.115 and 1993 c 244 s 14 are each amended to  
8 read as follows:

9 (1) No person may operate or permit the operation of a vessel on  
10 the waters of the state without a personal flotation device on board  
11 for each person on the vessel. Each personal flotation device shall be  
12 in serviceable condition, of an appropriate size, and readily  
13 accessible.

14 (2) No person may operate or permit to be operated a vessel under  
15 nineteen feet in length while underway unless each person twelve years  
16 of age or younger on the vessel wears a United States coast guard-  
17 approved personal flotation device.

18 (3) Except as provided in RCW 88.12.015, a violation of subsection  
19 (1) or (2) of this section is an infraction under chapter 7.84 RCW if  
20 the vessel is not carrying passengers for hire.

21 (~~(3)~~) (4) A violation of subsection (1) or (2) of this section is  
22 a misdemeanor punishable under RCW 9.92.030, if the vessel is carrying  
23 passengers for hire.

24 (5) Enforcement of subsection (2) of this section by law  
25 enforcement officers may be accomplished only as a secondary action if  
26 a vessel has been detained for a suspected violation of this chapter or  
27 some other offense."

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