

# HOUSE BILL REPORT

## HB 1046

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**As Passed House**  
January 16, 1998

**Title:** An act relating to personal flotation devices.

**Brief Description:** Requiring personal flotation devices for children on certain recreational vessels.

**Sponsors:** By House Committee on Natural Resources (originally sponsored by Representatives Carlson, Pennington, Radcliff, Ogden, Doumit, Keiser, Scott, Cole, DeBolt, Cooper, Mason, Cody, Costa, L. Thomas, Dyer, Regala, Anderson, Appelwick and O'Brien).

**Brief History:**

**Committee Activity:**

Natural Resources: 1/28/97, 1/31/97 [DP].

**Floor Activity:**

Passed House: 3/13/97, 75-20;

Passed House: 1/16/98, 67-22.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 11 members: Representatives Buck, Chairman; Sump, Vice Chairman; Thompson, Vice Chairman; Regala, Ranking Minority Member; Butler, Assistant Ranking Minority Member; Alexander; Anderson; Chandler; Hatfield; Pennington and Sheldon.

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

**Background:** No person may operate a vessel on the waters of the state without having a personal flotation device such as a life jacket on board for each person on the vessel. Each flotation device must be in serviceable condition, of appropriate size, and readily accessible.

Generally, state law requires boaters to have a life jacket or other flotation device on board the vessel for each person rather than requiring boaters actually to wear a flotation device. There are, however, some exceptions to this general rule. For example, water skiers, personal watercraft users, and participants on vessels carrying passengers for hire on whitewater rivers all must wear personal flotation devices.

Twenty-eight states have some type of requirement for children to wear life jackets or other personal flotation devices while boating.

**Summary of Bill:** No person may operate, or permit to be operated, a vessel under 19 feet in length unless each child 9 years of age or younger on the vessel wears a U.S. Coast Guard-approved personal flotation device. Enforcement of this requirement by law enforcement officers may be accomplished only as a secondary action if the vessel is detained for a suspected violation of some other provision of law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This bill will save the lives of children. We are putting our most valued resource at risk. Washington is behind other states in saving children from drowning. There are life-jacket loaner programs if people don't have life jackets. Drowning is not treatable; it is only preventable. Resuscitated children may have extreme neurological damage. Think how many children could be saved by this. A drowning prevention coalition is at work in many communities trying to reduce the number of drowning deaths through the life jacket loaner program, signs, and education. This law will help raise awareness. We know that life jackets work. Technology has made them better and more comfortable and stylish. Education, technology, and the law are all necessary components, and are most effective when all three work together. Hypothermia sets in quickly in Washington's cold water, and people go under quickly; the life vest keeps a person afloat so he can be rescued. Search and Rescue has never seen a dead body in the water wearing a life jacket. When startled by being thrown in the water, people tend to gasp and then go under; knowing how to swim won't save you. An all-volunteer non-profit group is working to post signs for boating safety, but we really need this bill too. Washington has one of the highest drowning mortality rates in the country. Education alone is not quite enough.

**Testimony Against:** None.

**Testified:** Representative Don Carlson, prime sponsor; Sheriff Bill Wiester, Washington State Sheriffs Association; Vince Sainati, Bonney Lake Police; Pearl O'Rourke, Children's Hospital; Madlyn Murray, Mary Bridge Children's Hospital; Norman Bottenberg, American Red Cross; Elizabeth Bennett, Children's Hospital; Kevin Scheid, U.S. Coast Guard; Gretchen Hurter, Boating Safety for Kids; Roger Schmidt, Life Saving Signs; Glenna Thon, Washington Recreation and Parks

Association; Dave Williams, Recreational Boating Association; and Rose Amurao, Washington State Parks (all in favor).