

SENATE BILL REPORT

HB 1046

As Reported By Senate Committee On:
Natural Resources & Parks, February 20, 1998

Title: An act relating to personal flotation devices.

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

Sponsors: 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 & Parks: 4/4/97 [DPA, DNP]; 2/18/98, 2/20/98 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Jacobsen, Snyder, Spanel and Swecker.

Staff: Paul Mabrey (786-7412)

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.

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. Some exceptions to this general rule exist. 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 nine 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: Legislation is needed for the protection of children who are present in vessels under 19 feet in length. The boat size factor was derived from statistics which show most drowning accidents involving boats occur with boats under 19 feet. Life jackets have been shown to save young lives. Coast Guard approved life jackets are inexpensive and easy to find. Suggestion that target age should be 12 years of age and that enforcement be primary instead of secondary.

Testimony Against: None.

Testified: David Williams, Recreational Boating (pro); Jeffrey Murray, MD, Children's Hospital, Seattle, American Academy of Pediatrics (pro); Judy wall, Chelan Co. Sheriff's Marine Patrol (pro); Madlyn Murray, Mary Bridge Children's Hospital (pro); Bethany Lael, WA State Parks & Recreation (pro); Cheryl Elmore, Columbia Basin Dive Rescue (pro).