

SENATE BILL REPORT

ESB 5242

As Passed Senate, February 4, 1998

Title: An act relating to personal flotation devices.

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

Sponsors: Senators Oke, McAuliffe, Snyder, Kohl, Sheldon, Winsley, Fairley, Long, Haugen, McDonald, Deccio, McCaslin, Sellar, Brown, Goings, Jacobsen and Patterson.

Brief History:

Committee Activity: Natural Resources & Parks: 1/23/97, 1/31/97 [DP, DNP].

Passed Senate, 2/14/97, 35-12.

Passed Senate, 2/4/98, 36-12.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

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

Minority Report: Do not pass.

Signed by Senator Hargrove.

Staff: Vic Moon (786-7469)

Background: Current law requires personal flotation devices (PFD) on board for each person in a vessel operating in state waters. The PFDs must be of the appropriate size, serviceable, and accessible.

Summary of Bill: Operators or persons permitting the operation of vessels under 19 feet in length must ensure that all passengers nine years of age and younger actually wear a United States Coast Guard approved PFD if the vessel is in motion.

A violation is an infraction if the vessel is not carrying passengers for hire and is a misdemeanor if the vessel is carrying passengers for hire.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Drowning is a major cause of boating accident deaths and functional deaths when PFDs are not actually being worn. Children 12 years of age and under should be

required to wear PFDs. 27 states now have laws requiring children of various ages to wear PFDs. Penalties should be comparable to a seatbelt violation. In 1995 there were five deaths of children in Washington by drowning in boating accidents. In 1996 there was one death of a child in a boating accident. These statistics do not include functional deaths for those whose life is sustained.

Testimony Against: None.

Testified: PRO: Ed Bush, Chelan PD; Dan LaRoche, Douglas County Sheriff; Dave Williams, Rec. Boating Assn.; Kevin Scheid, U.S. Coast Guard, Pearl O'Rourke, Children's Hospital; Gretchen Hurtz, Boating Safety Classes for Kids; Charles Hurter, Boating Safety Classes for Kids; Tony Gomez, Seattle/King Co. Drowning Prevention Coalition; Mary Hayes, American Red Cross; Gary Simpson, Kitsap County Sheriff; George Black, Steve Blackstone, National Transportation and Safety Board; Ken Carlson, Olympia Police Harbor Patrol; Patience Turner; Paul Berlin, Gig Harbor Fire Dept.; Norman Brandenburg, King Co. American Red Cross; Elizabeth Bennet, Children's Hospital; Rose Amura, Washington State Parks.