

SENATE BILL REPORT

EHB 1014

As Reported By Senate Committee On:
Natural Resources, Parks & Recreation, March 31, 1999

Title: An act relating to personal flotation devices.

Brief Description: Requiring children age twelve and under to wear a personal flotation device while on a vessel on the waters of the state.

Sponsors: Representatives Carlson, Regala, Ogden, Pennington, Hatfield, Hurst, Stensen, Buck, Romero, Kastama, Scott, McIntire, Keiser, Cooper, Ballasiotes, Schual-Berke, Murray, Cody, Veloria, Rockefeller and Lantz.

Brief History:

Committee Activity: Natural Resources, Parks & Recreation: 3/22/99, 3/31/99 [DPA, DNP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

Majority Report: Do pass as amended.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Oke, Snyder and Spanel.

Minority Report: Do not pass.

Signed by Senators Morton and Stevens.

Staff: David Johnson (786-7754)

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. However, passengers are generally not required to wear the PFDs.

Summary of Amended Bill: Operators of vessels less than 19 feet in length must ensure that all passengers ages 12 and under actually wear an appropriately sized PFD that meets or exceeds U.S. Coast Guard standards while the vessel is underway.

Children need not wear a PFD if they are below deck, in an enclosed cabin, or on a Coast Guard inspected passenger carrying vessel, or in a situation where one would not reasonably expect drowning to occur.

A violation is an infraction for the boat operator.

Amended Bill Compared to Original Bill: The amendment added an exception regarding a reasonable expectation that drowning will occur.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Requiring children to wear PFDs will save lives. Reasonableness exception is a good educational tool. Judging appropriate PFDs based on Coast Guard standards, rather than actual approval, will include all safe and effective PFDs. Pierce County's ordinance has been an effective safety tool.

Testimony Against: Perceptions about when drowning may occur could differ between enforcement officers and boaters who do not understand dangers. Exception of drowning depends on conditions which can change instantly.

Testified: PRO: Linda Quan, Children's Hospital; Fred Neiman, Clark County Sheriff's Department, Deputy Sheriff; Dolph Diemont, U.S. Coast Guard.