

SENATE BILL REPORT

SB 5094

As Reported By Senate Committee On:
Natural Resources, Parks & Recreation, January 27, 1999

Title: An act relating to personal flotation devices.

Brief Description: Concerning personal flotation devices.

Sponsors: Senators Oke, Jacobsen, B. Sheldon, Bauer, Gardner, T. Sheldon, Fairley, Fraser, Winsley, McAuliffe, Long, Eide, Kohl-Welles, Costa, Haugen and McCaslin.

Brief History:

Committee Activity: Natural Resources, Parks & Recreation: 1/21/99, 1/27/99 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

Majority Report: That Substitute Senate Bill No. 5094 be substituted therefor, and the substitute bill do pass.

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

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.

Summary of Substitute Bill: Operators of vessels less than 19 feet in length must ensure that all passengers ages 12 and under actually wear an appropriately sized United States Coast Guard approved PFD if the vessel is in motion.

Children need not wear a PFD if they are below deck, in an enclosed cabin, on a 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.

Substitute Bill Compared to Original Bill: The substitute added an exception where no person would reasonably expect drowning to occur.

Appropriation: None.

Fiscal Note: Requested on January 22, 1999.

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

Testimony For: Requiring PFDs will save lives. Children lack maturity to don PFDs when an emergency strikes. Oregon's law and local ordinances work well.

Testimony Against: PFDs for infants aren't available, even the smallest are too big and cumbersome.

Testified: PRO: Dolph Diemont, U.S. Coast Guard; Jane DeBrock, parent; Danette Glassy, MD, WA Chapter, American Academy of Pediatrics; Robert Goetz, WA Boating Safety Officers Assn., Everett Policy Dept.; Fred Neiman, Clark County Sheriff's Dept.; Elizabeth Bennett, Children' Hospital & Regional Medical Ctr.; David Sparling, MD, Mary Bridge Children's Hospital, Bill Gossarch, N&SB; CON: Lisa Weber, private boat owner.