
HOUSE BILL 1014

State of Washington

56th Legislature

1999 Regular Session

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

Read first time 01/11/1999. Referred to Committee on Natural Resources.

1 AN ACT Relating to personal flotation devices; amending RCW
2 88.12.115; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 88.12.115 and 1993 c 244 s 14 are each amended to read
5 as follows:

6 (1) No person may operate or permit the operation of a vessel on
7 the waters of the state without a personal flotation device on board
8 for each person on the vessel. Each personal flotation device shall be
9 in serviceable condition, of an appropriate size, and readily
10 accessible.

11 (2) Except as provided in RCW 88.12.015, a violation of subsection
12 (1) of this section is an infraction under chapter 7.84 RCW if the
13 vessel is not carrying passengers for hire.

14 (3) A violation of subsection (1) of this section is a misdemeanor
15 punishable under RCW 9.92.030, if the vessel is carrying passengers for
16 hire.

17 (4) No person shall operate a vessel on the waters of this state
18 with a child twelve years old and under, unless the child is wearing a
19 United States coast guard approved personal flotation device, of the

1 appropriate size, while the vessel is underway. For the purposes of
2 this section, a personal flotation device is not considered readily
3 accessible for children twelve years old and under unless the device is
4 worn by the child while the vessel is underway. The personal flotation
5 device must be worn at all times by a child twelve years old and under
6 whenever the vessel is underway and the child is on an open deck or
7 open cockpit of the vessel. The following circumstances are excepted:

8 (a) While a child is below deck or in the cabin of a boat with an
9 enclosed cabin;

10 (b) While a child is on a sailboat and tethered by means of a
11 lifeline or harness attached to the sailboat; or

12 (c) While a child is on a United States coast guard inspected
13 passenger-carrying vessel operating on the navigable waters of the
14 United States.

15 (5) Except as provided in RCW 88.12.015, a violation of subsection
16 (4) of this section is an infraction under chapter 7.84 RCW.
17 Enforcement of subsection (4) of this section by law enforcement
18 officers may be accomplished as a primary action, and need not be
19 accompanied by the suspected violation of some other offense.

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