
HOUSE BILL 1344

State of Washington

56th Legislature

1999 Regular Session

By Representatives Cooper, Hankins, Hatfield, Radcliff, Scott and Romero

Read first time 01/21/1999. Referred to Committee on Natural Resources.

1 AN ACT Relating to personal watercraft; adding a new section to
2 chapter 88.12 RCW; repealing RCW 88.12.145; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 88.12 RCW
5 to read as follows:

6 (1) A person shall not operate a personal watercraft unless each
7 person aboard the personal watercraft or being towed behind the
8 personal watercraft is wearing a United States coast guard approved
9 type I, II, III, or V personal flotation device. An inflatable
10 personal flotation device does not satisfy the requirements of this
11 section. Except as provided for in RCW 88.12.015, a violation of this
12 subsection is a civil infraction punishable under RCW 7.84.100.

13 (2) A person operating a personal watercraft equipped by the
14 manufacturer with a lanyard-type engine cutoff switch shall attach the
15 lanyard to his or her person, clothing, or personal flotation device,
16 as appropriate for the specific personal watercraft. It is unlawful
17 for any person to remove or disable a cutoff switch or spring loaded
18 throttle mechanism that was installed by the manufacturer.

19 (3) A person shall not operate a personal watercraft between sunset
20 and 8:00 a.m.

21 (4) Beginning April 1, 2000:

1 (a) No person under the age of sixteen may operate a personal
2 watercraft.

3 (b) No person born after January 1, 1984, may operate a personal
4 watercraft powered by a motor of ten horsepower or greater unless such
5 a person has successfully completed a boating education course approved
6 by the commission. In lieu of completing a boating course, an
7 individual may demonstrate, in a manner approved by the commission,
8 sufficient knowledge of the information from the boating education
9 course. The commission shall issue written confirmation of the
10 successful demonstration of equivalent knowledge.

11 (c) If a nonresident of the state is operating a personal
12 watercraft on the waters of the state, the person is subject to the
13 requirements of this section. The person is in compliance with the
14 requirements of this subsection if the person possesses written
15 confirmation of successful completion of a safe boating course approved
16 by the national association of state boating law administrators and
17 issued by the person's home state, or any other state.

18 (d) Any operator of a personal watercraft required by this
19 subsection to possess proof of completion of a boating course or
20 equivalency demonstration must have the documentation in his or her
21 possession at all times while operating a personal watercraft.

22 (5) A person shall not operate a personal watercraft in a negligent
23 manner. Maneuvers that constitute negligent operation of a vessel
24 include, but are not limited to:

25 (a) Weaving through congested vessel traffic;

26 (b) Jumping the wake of another vessel unreasonably close to
27 another vessel or when visibility around the vessel is obstructed or
28 restricted;

29 (c) Becoming airborne or completely leaving the water while
30 crossing the wake of another vessel within one hundred feet of the
31 vessel creating the wake;

32 (d) Operating at greater than a slow/no-wake speed within one
33 hundred feet of the shoreline, a dock, pier, marked launch area, marked
34 swim area, swim float, swimmers, surfers, persons engaged in angling,
35 any manually powered vessel, or any anchored, moored, or drifting
36 vessel;

37 (e) Operating contrary to navigation rules including following too
38 closely to another vessel, including another personal watercraft. For
39 the purposes of this subsection, "following too closely" means

1 proceeding in the same direction and operating at a speed in excess of
2 ten miles per hour within one hundred feet to the rear or fifty feet to
3 the side of another vessel which is underway, unless the vessels are
4 operating in a narrow channel, in which case personal watercraft may
5 operate at the speed and flow of the other traffic in the channel;

6 (f) A violation of this subsection is an infraction under chapter
7 7.84 RCW.

8 (6) A person shall not operate a personal watercraft:

9 (a) While towing a person on water skis, a kneeboard, an inflatable
10 craft or any other device unless the personal watercraft is rated by
11 the manufacturer to carry at least three persons, and an operator and
12 observer are aboard the personal watercraft;

13 (b) To chase or harass wildlife;

14 (c) Through emergent vegetation at other than a slow/no-wake speed;

15 (d) In any other manner that is not reasonable and prudent.

16 (7) Subsections (1) through (6) of this section do not apply to a
17 performer engaged in a professional exhibition or a person
18 participating in a regatta, race, marine parade, or exhibition
19 authorized or otherwise permitted by the appropriate agency having
20 jurisdiction and authority to authorize such events.

21 (8) A person shall not operate a personal watercraft in a reckless
22 manner. For the purposes of this section, "reckless operation of a
23 personal watercraft" means the willful and wanton performance of any of
24 the actions described in subsection (5) of this section.

25 (9) A person shall not lease, hire, or rent a personal watercraft
26 to a person under the age of sixteen.

27 (10) A violation of subsection (2), (3), (4), (6), or (9) of this
28 section is a misdemeanor under RCW 9.92.030. This subsection does not
29 limit the application of any other section that makes the unauthorized
30 use or operation of a personal watercraft a misdemeanor.

31 (11) The commission shall adopt rules implementing subsection (4)
32 of this section. The commission shall establish a fee for a boating
33 education course and for an equivalency demonstration.

34 NEW SECTION. **Sec. 2.** RCW 88.12.145 and 1993 c 244 s 17 are each
35 repealed.

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