

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1014

56th Legislature
1999 Regular Session

Passed by the House April 25, 1999
Yeas 61 Nays 35

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 8, 1999
Yeas 33 Nays 12

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1014** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1014

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

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 under nineteen feet in length
18 on the waters of this state with a child twelve years old and under,
19 unless the child is wearing a personal flotation device that meets or

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

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

11 (b) While a child is on a United States coast guard inspected
12 passenger-carrying vessel operating on the navigable waters of the
13 United States; or

14 (c) While on board a vessel at a time and place where no person
15 would reasonably expect a danger of drowning to occur.

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

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