

# SENATE BILL REPORT

## SB 6513

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As Reported By Senate Committee On:  
Parks, Fish & Wildlife, February 3, 2004

**Title:** An act relating to recreational boater education.

**Brief Description:** Providing for recreational boater education.

**Sponsors:** Senators Oke, Jacobsen, Swecker, Carlson, Brown, Fraser, Doumit, Johnson, Kline, Keiser, Haugen, Winsley and Spanel.

**Brief History:**

**Committee Activity:** Parks, Fish & Wildlife: 2/2/04, 2/3/04 [DPS-WM].

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### SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

**Majority Report:** That Substitute Senate Bill No. 6513 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Oke, Chair; Sheahan, Vice Chair; Doumit, Jacobsen, Spanel and Swecker.

**Staff:** Kari Guy (786-7437)

**Background:** SB 5898, passed during the 2003 legislative session, directed State Parks to review recreational boating safety accidents and suggest ways in which accidents could be reduced. To implement the bill, State Parks and the Boating Safety Advisory Council met four times over the interim and reviewed statistical information on recreational boating accidents. The primary recommendation of the advisory council is to mandate recreational boater education.

**Summary of Substitute Bill:** The State Parks and Recreation Commission must establish by rule a program to provide required boating safety education. The program must be phased in so that all non-exempt boaters must obtain a boater education card by January 1, 2014.

A person must be 16 years of age and have a boater education card to drive a vessel of greater than 10 horsepower, with certain exemptions. Exemptions include charter boat operators, commercial operators, law enforcement officials, persons involved in a racing event, and non-residents for certain time periods. Failure to possess a boater education card is an infraction. A person under 16 must be accompanied by a person over 16 in possession of a boater education card.

To obtain a boater education card, a boater must take and pass an accredited boating safety course, pass an equivalency exam, or provide proof of completion of a course taken prior to July 1, 2004.

The fee for the boater education card is set at \$10 and must fund all ongoing commission activities related to the required boater education program. Fees must be deposited in a

boating safety education certification account. Funds in the recreation resources account may be transferred to the boating safety education certification account during the current biennium to develop the boating safety education program. The commission must evaluate commercial opportunities for program administration.

**Substitute Bill Compared to Original Bill:** The fee for the boater education card is set at \$10. State Parks must consider commercial opportunities for program administration.

**Appropriation:** None.

**Fiscal Note:** Requested on January 22, 2004.

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

**Testimony For:** Mandatory boater education has been implemented in 25 states, and has been shown to save lives. Washington has the fourth highest boating accident rate in the country. There are more and more people out on the water who don't know basic rules of boating or understand safety. This bill has been carefully developed by recreational boaters, and will be paid for by recreational boaters.

**Testimony Against:** The recreation resources account should not be used to fund start-up costs for the program. There is a high demand for those funds for projects such as boat ramps and docks. The fiscal issues associated with this bill have not been well examined. The bill requires education for those who need it least. It will not require any education for people in small motor boats, small sail boats, or kayaks, where most of the fatalities are seen.

**Testified:** Bill Grossard, NISB (pro); Lance Jensen, United States Power Squadrons (pro); James Horan, Washington State Parks (neutral); Bonnie Harding, VSCG Aud. (pro); Roy Mackey, American Watercraft Association (pro); David Kutz, Intl Order of Blue GANEL Dist. (pro); Janice Visser, Saving Foundation (pro); BJ Cirsin, RBAN (pro); Eric Johnson, Washington Public Ports Association (pro w/concerns); Ray Schow, RBAN (pro); Cliff Webster, Michael Campbell, Northwest Marine Trade Association (con); Bernard Murray, RBAN (pro); Fran Troje, Mountaineer (pro w/concern); Chris Cheney, citizen boater (concerns); Steve Greaves, American Power Boat Association, Seattle Cutboard Association (pro); Frances Troje, The Mountaineers (pro).