

HOUSE BILL REPORT

SB 6364

As Reported by House Committee On:
Natural Resources, Ecology & Parks
Appropriations

Title: An act relating to the regulation of recreational vessels.

Brief Description: Prohibiting certain activities on motor driven boats and vessels.

Sponsors: Senators Roach, Rasmussen, Kastama, Haugen and Kline.

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 2/17/06, 2/21/06 [DPA];
Appropriations: 2/25/06, 2/27/06 [DPA(APP w/o NREP)s].

Brief Summary of Bill
(As Amended by House Committee)

- Creates an infraction for vessel operators who allow their vessel's engine to run while another person is swimming or surfing behind the vessel.
- Mandates the placement of carbon monoxide warning stickers on all vessels.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: Do pass as amended. Signed by 10 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, Chandler, Dickerson, Hunt, Kagi and Orcutt.

Staff: Amy Van Horn (786-7168).

Background:

Teak surfing, also known as bodysurfing or platform dragging, is a boating activity in which a person in the water hangs on to the swim platform on the back of a moving boat, or lets go and "surfs" in the wave that trails behind the boat. Teak surfing is not prohibited in Washington.

Recreational boating is generally regulated by the State Parks and Recreation Commission (Commission). Areas of regulation include vessel muffler systems, personal flotation devices, water skiing safety, and required equipment. The Commission is currently developing a program of mandatory boater education. Boater safety education requirements are being

phased in over 11 years, with all boat operators required to have successfully completed the education requirements by the year 2016.

Vessel emissions standards are not regulated by the Commission. However, the Commission is required to provide statewide recreational boating fire prevention education that includes education about the hazards of carbon monoxide.

Summary of Amended Bill:

Vessel operation prohibitions

A vessel operator may be fined up to \$100 if he or she operates the vessel, or allows the engine to run idle, while another person is teak surfing, platform diving, bodysurfing, or holding onto the swim deck on the back of a vessel. An exception to this prohibition exists when the vessel operator is docking or departing, or when the vessel is being used for law enforcement or emergency rescue.

Carbon monoxide education

The Commission is required to take certain steps to educate the public about the dangers of carbon monoxide poisoning at the stern of a vessel. The Commission must include information about carbon monoxide poisoning as an element of the boater safety education classes under development and provide a brochure on the topic for inclusion with mailed registration materials. The informational brochures must be mailed for two consecutive years.

Warning stickers

All new and used vessels sold in Washington must display two stickers that warn about the dangers of carbon monoxide poisoning. One sticker is required to be placed in the interior of the vessel, and the second sticker must be on the rear exterior of the vessel. New vessel dealers must provide the stickers at the time of initial sale. For used vessels, the warning stickers must be contained in the initial registration materials received by the new owner.

Amended Bill Compared to Original Bill:

The original bill contained only one provision, which prohibited running a boat's motor while someone is on or hanging from the stern of the boat. The amended bill includes that provision and adds several more. The amended bill directs the Commission to include information on carbon monoxide poisoning in its existing boater education program, and to send informational brochures and carbon monoxide warning stickers with boater registration mailings for two years. The amended bill also requires every new and used motor boat sold in the state to display a carbon monoxide warning sticker, and provides that the act may be called the Jenda Jones and Denise Colbert Safe Boating Act.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except sections 4 and 5, relating to carbon monoxide warning stickers and informational brochures, which take effect January 1, 2007.

Testimony For: (In support of original bill) Carbon monoxide emissions from boats is vastly greater than that from car engines, and it is colorless and odorless. Someone breathing it in behind a boat can die in 60 seconds. Washington has one of the highest recreational boating fatality rates in the country, and deaths from carbon monoxide are increasing. This bill comports with the model legislation proposed by a national recreational boating association. Because boaters often cross state lines, uniform laws make it far easier to educate the public. This bill will not overly burden any agency, and it will get drivers to turn off their engines.

Testimony Against: None.

Persons Testifying: (In support of original bill) Senator Roach, prime sponsor; Jim French, State Parks and Recreation Commission; Ray Schow and Steve Greaves, Recreational Boating Association of Washington; and Dan Packer, East Pierce Fire and Rescue.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Natural Resources, Ecology & Parks. Signed by 29 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Clements, Cody, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

Minority Report: Without recommendation. Signed by 1 member: Representative Anderson, Assistant Ranking Minority Member.

Staff: Alicia Paatsch (786-7178).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Natural Resources, Ecology & Parks:

The legislative findings section is removed and the penalty for running a boat's motor while someone is at the stern is changed from a fine of up to \$100 to an infraction.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except sections 2 and 3, relating to carbon monoxide warning stickers and informational brochures, which take effect January 1, 2007.

Testimony For: None.

Testimony Against: None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.