

# FINAL BILL REPORT

## SB 5145

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As Passed Legislature

**Brief Description:** Creating a boater safety education program.

**Sponsors:** Senators Jacobsen, Swecker, Oke, Fraser, Johnson, Spanel, Rockefeller, Kohl-Welles, Delvin, Keiser, Haugen, Kastama, Kline, Hargrove, Regala, Franklin, Thibaudeau, Rasmussen and Shin.

**Senate Committee on Transportation**

**House Committee on Natural Resources, Ecology & Parks**

**House Committee on Appropriations**

**Background:** Under current law, the State Parks and Recreation Commission (Commission) is required to, among other things, adopt and enforce recreational boating safety rules, including equipment and navigating requirements, consistent with U.S. Coast Guard regulations. Additionally, the Commission must coordinate a statewide program of boating safety education, using when possible, existing programs offered by the U.S. Power Squadron and the U.S. Coast Guard Auxiliary.

Various operational and equipment requirements exist applicable to the operation of recreational vessels. However, current law does not require operators of motor driven boats and vessels to successfully complete a boating safety education program prior to operating the vessel.

**Summary:** The State Parks and Recreation Commission must establish a program to provide required boating safety education. The program must be phased in so that all non-exempt boaters are required to obtain a boater education card by January 1, 2016. The program must include a minimum standard of boating safety education accomplishment, minimum standards for boating safety course of instruction and examination, and accreditation to boating safety education courses operated by entities such as the U.S. Coast Guard Auxiliary and the U.S. Power Squadrons. Additionally, the program must include an equivalency exam that may be taken as an alternative to the boating safety education course, a \$10 fee to receive the boater education card, and a card replacement fee.

In order to operate a motor driven boat or vessel of 15 horsepower or greater, a person must be at least 12 years old and: (1) possess a boater education card; or (2) be accompanied by and under the supervision of a person at least 16 years old who has a boater education card, or who is not yet required to possess the card under the phased-in program.

Certain individuals are not required to have a boater education card, including: (1) persons not yet required to have a card under the phased schedule developed by the Commission; (2) certain nonresident vessel operators; (3) renters of motor driven boats or vessels, with an engine power of 15 horsepower or greater, who are at least 12 years old and who complete a Commission-approved motor vessel safety checklist; and (5) any person born before January 1, 1955.

Any person who, prior to the effective date of this act, successfully completed a boating safety education course substantially equivalent to the standards adopted by the Commission may pay a \$10 fee and receive a boater education card without taking a course or equivalency exam.

All fees collected for the issuance of a boater education card must be deposited in the newly created, nonappropriated Boating Safety Education Certification Account to be used for the administration of the boating safety education program.

**Votes on Final Passage:**

Senate	30	18	
House	68	30	(House amended)
Senate	28	13	(Senate concurred)

**Effective:** 90 days