

SENATE BILL REPORT

SB 6364

As Passed Senate, February 13, 2006

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, Ocean & Recreation: 2/01/06, 2/02/06 [DP].
Passed Senate: 2/13/06, 45-0.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Fraser, Hargrove, Morton, Spanel and Stevens.

Staff: Curt Gavigan (786-7437)

Background: Teak surfing, also known as bodysurfing, is a boating activity in which an individual enters the water and grips the swim platform of a motorized vessel. As the vessel moves through the water at low speeds, it produces a trailing wave just behind the boat. The person holding onto the swim platform can then let go and body surf this trailing wave, which will carry that person along behind the boat.

The United State Coast Guard has stated that because teak surfing takes place so near a boat's motor, teak surfers are exposed to elevated carbon monoxide levels from vessel exhaust. The National Institute for Occupational Safety and Health has found deaths resulting from as little as one to two minutes of teak surfing related carbon monoxide exposure. Teak surfing is also dangerous, according to the Coast Guard, because it occurs so near a boat's propeller and because participants do not wear life jackets while teak surfing.

Recently, jurisdictions, including Oregon and California, have prohibited teak surfing.

Summary of Bill: The operation of a motor boat or vessel while an individual is teak surfing, platform dragging, or bodysurfing behind the boat or vessel is prohibited.

The operation of a motor boat or vessel while an individual is occupying or holding onto a swim platform, step, or ladder is also prohibited. This provision does not apply in certain limited circumstances, such as when an individual occupies a swim platform to assist with docking or departing.

The terms teak surfing, platform dragging, and bodysurfing are defined. A violation of these provisions is an infraction.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: Teak surfing constitutes a dangerous activity due to the likelihood of a participant inhaling hazardous levels of carbon monoxide. Victims have died from carbon monoxide poisoning while teak surfing in Washington State, including two deaths on Lake Tapps in the past three years. Other states have passed similar language and this bill would help Washington prevent more tragedies.

Testimony Against: None.

Who Testified: PRO: Senator Roach, prime sponsor; Jim French, Washington State Parks; Dan Packer, Washington Fire Chiefs; Jay Colbert, father of a victim of teak surfing; Kelly Colbert, mother of a victim of teak surfing; David Kutz, Recreational Boating Association of Washington.

House Amendment(s): A teak surfing violation is specified as a natural resources infraction, the fine for which may not exceed \$100.

The House amendment adds a provision requiring that any new or used motor driven boat or vessel sold within the state display a carbon monoxide warning sticker developed or approved by the Department of Licensing.

The amendment directs the Department of Licensing to include an informational brochure about the dangers of carbon monoxide poisoning and vessels, as well as the warning stickers developed by the Department, with vessel registration materials mailed when registrations are due or become due for two years after the effective date of the provision. After two years, such materials may be included upon recommendation by the Director of the Department.

Current statutory language directing the State Parks and Recreation Commission to include the hazards of carbon monoxide in its recreational boating fire prevention educational program is removed.

An effective date is added.

The act is named the Jenda Jones and Denise Colbert Safe Boating Act.