

SENATE BILL REPORT

SB 6386

As Reported by Senate Committee On:
Commerce & Labor, January 27, 2016

Title: An act relating to the safety of retractable basketball hoops.

Brief Description: Concerning retractable basketball hoop safety.

Sponsors: Senator Benton.

Brief History:

Committee Activity: Commerce & Labor: 1/20/16, 1/27/16 [DPS, w/oRec].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 6386 be substituted therefor, and the substitute bill do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway, Keiser, King and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senator Hasegawa, Ranking Minority Member.

Staff: Jarrett Sacks (786-7448)

Background: Under the Washington Industrial Health and Safety Act (WISHA), the Department of Labor and Industries (L&I) adopts rules and regulations of safety and health standards governing the conditions of employment in all work places. L&I sets occupational health and safety standards that are at least as effective as the federal standards. L&I also provides for appropriate reporting of working conditions, inspections, training, education, and compliance under WISHA. L&I has the authority to inspect and investigate workplaces and can issue a citation if an employer has violated safety and health standards. Civil penalties for violations range from up to \$7,000 for non-serious violations to up to \$70,000 for willful or repeated violations.

A retractable basketball hoop is a basketball hoop that can have its height adjusted, or be drawn into a wall or ceiling, using mechanical, manual, or electrical mechanisms.

Summary of Bill (Recommended Substitute): After January 1, 2017, school districts must inspect annually all school district-owned retractable basketball hoops according to the

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manufacturer's specifications. Schools districts must document inspections. The documentation is subject to enforcement by L&I, but L&I is not required to inspect basketball hoops itself. Failure to inspect a retractable basketball hoop annually is considered a violation of WISHA.

Before January 1, 2017, L&I must create rules adopting safety and health standards for the hardware associated with the operation of retractable basketball hoops. L&I may use existing rules and apply them to basketball hoops.

EFFECT OF CHANGES MADE BY COMMERCE & LABOR COMMITTEE (Recommended Substitute): School districts are required to inspect basketball hoops according to the manufacturer's specifications and document the inspections. The documentation is subject to enforcement by L&I. L&I may use existing rules and apply them to basketball hoops and is not required to inspect basketball hoops itself.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: As the age of basketball hoops increases, the risk of a device failing increases. The number of incidents has increased over time. Schools do not perform initial inspections when the basketball hoops are installed and never inspect them after. Inspections by trained personnel are critical to ensuring the devices do not fall and injure someone, and the inspections are relatively inexpensive. There have been incidents in other states where people have been severely injured by falling basketball hoops.

Persons Testifying: PRO: Preston Dwoskin, citizen; Mark Williams, Adrenaline Projects Group; Ken Sissons, Cassidy Athletics.

Persons Signed In To Testify But Not Testifying: No one.