
HOUSE BILL 2443

State of Washington

66th Legislature

2020 Regular Session

By Representatives Ryu and Davis

Read first time 01/14/20. Referred to Committee on Housing,
Community Development & Veterans.

1 AN ACT Relating to requiring the use of personal flotation
2 devices on smaller vessels; and amending RCW 79A.60.160.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 79A.60.160 and 2000 c 11 s 98 are each amended to
5 read as follows:

6 (1) No person may operate or permit the operation of a vessel on
7 the waters of the state without a personal flotation device on board
8 for each person on the vessel. Each personal flotation device shall
9 be in serviceable condition, of an appropriate size, and readily
10 accessible.

11 (2) Except as provided in RCW 79A.60.020, a violation of
12 subsection (1) of this section is an infraction under chapter 7.84
13 RCW if the vessel is not carrying passengers for hire.

14 (3) A violation of subsection (1) of this section is a
15 misdemeanor punishable under RCW 9.92.030, if the vessel is carrying
16 passengers for hire.

17 (4) No person shall operate a vessel under nineteen feet in
18 length on the waters of this state with a child twelve years old and
19 under, unless the child is wearing a personal flotation device that
20 meets or exceeds the United States coast guard approval standards of
21 the appropriate size, while the vessel is underway. For the purposes

1 of this section, a personal flotation device is not considered
2 readily accessible for children twelve years old and under unless the
3 device is worn by the child while the vessel is underway. The
4 personal flotation device must be worn at all times by a child twelve
5 years old and under whenever the vessel is underway and the child is
6 on an open deck or open cockpit of the vessel. The following
7 circumstances are excepted:

8 (a) While a child is below deck or in the cabin of a boat with an
9 enclosed cabin;

10 (b) While a child is on a United States coast guard inspected
11 passenger-carrying vessel operating on the navigable waters of the
12 United States; or

13 (c) While on board a vessel at a time and place where no person
14 would reasonably expect a danger of drowning to occur.

15 (5) Except as provided in RCW 79A.60.020, a violation of
16 subsection (4) of this section is an infraction under chapter 7.84
17 RCW. Enforcement of subsection (4) of this section by law enforcement
18 officers may be accomplished as a primary action, and need not be
19 accompanied by the suspected violation of some other offense.

20 (6) A person thirteen years old or older operating or riding on a
21 vessel under nineteen feet in length on the waters of this state must
22 wear a personal flotation device that meets or exceeds the United
23 States coast guard approval standards of the appropriate size while
24 the vessel is underway unless the person is:

25 (a) Below deck or in the cabin of a boat with an enclosed cabin;

26 (b) On a United States coast guard inspected passenger-carrying
27 vessel operating on the navigable waters of the United States; or

28 (c) On board a vessel at a time and place where no person would
29 reasonably expect a danger of drowning to occur.

30 (7) A law enforcement officer shall issue a warning to operators
31 or passengers for a first violation of subsection (6) of this
32 section. Except as provided in RCW 79A.60.020, a subsequent violation
33 of subsection (6) of this section is an infraction under chapter 7.84
34 RCW. Enforcement of subsection (6) of this section by law enforcement
35 officers may be accomplished as a primary action and need not be
36 accompanied by the suspected violation of some other offense.

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