

## **State of Washington**

### ***State-Specific Boating Safety Requirements***

#### **SL 1. Law Enforcement Authority**

State park rangers, Fish & Wildlife agents, Parks and Recreation Commission members and its designated employees, city police officers, and deputy sheriffs are commissioned to enforce state boating laws and regulations. In their jurisdictions, officers have the authority to enforce laws affecting vessel operation, required equipment, rules of the road and other areas. The U.S. Coast Guard (USCG) also has enforcement authority on all federally controlled waters.

Law enforcement vessels engaged in enforcement activities may display a flashing blue light and sound audible warning sirens. No blue flashing lights may be displayed by vessels other than law enforcement vessels. An operator is required to stop his or her vessel when requested or signaled to do so by a person reasonably identified as a law enforcement officer. An operator of a vessel is required to immediately stop a vessel if operating in a reckless manner and is attempting to elude a pursuing law enforcement vessel after being given a visual or audible signal to stop the vessel. Public Safety vessels use alternately flashing red and yellow lights. No sirens may be used on vessels other than law enforcement vessels. Vessels may be equipped with a theft alarm, but only if it cannot be used as an ordinary warning siren. A vessel operator who willfully fails to stop when requested or signaled to do so by a law enforcement officer is guilty of a gross misdemeanor.

#### **SL 2. Age Restrictions**

In the State of Washington, a Personal Watercraft (PWC) operator must be 14 years of age or older.

A person must be at least 12 years of age or older and complete a boating safety course that meets commission standards to operate a motor driven boat of 15 horsepower or greater, unless otherwise exempted.

Exemptions:

- Operator of a vessel engaged in lawful commercial fishery as licensed by the Dept. of Fish & Wildlife.
- A person who has a valid marine operator license issued by the U.S. Coast Guard when operating a commercial or governmental vessel.
- Operator of a vessel that is exempt from registration requirements because it is a law enforcement or government vessel.
- A person 12 or older who is renting or leasing a vessel, but these operators must complete a dockside check list covering operating and equipment on the vessel.
- A person who is not a resident of Washington State and operates a boat in this state for less than 60 days.
- A person who is not a resident of Washington State and who holds a current out-of-state or out-of-country certificate or card that is equivalent to the rules adopted by the Commission.
- A person who has purchased a vessel within the past 60 days and has a bill of sale in his or her possession to document the date of purchase.
- A person involved in practicing for or participating in a permitted racing event.
- A person who is not yet required to have a boater education card.

#### **SL 3. Boater Safety Education Requirements**

Beginning January 1, 2008 and as phased in by age, boat owners over the age of 12 on boats with 15HP or more, are required to have a Washington State issued Boater Education Card indicating that a boating safety education class has been successfully completed by the card

holder. By January 1, 2016, all boat operators meeting the requirements will have an education card.

Mandatory boater safety education will be phased in as follows:

- January 1, 2008 – all boat operators 20 years old and younger;
- January 1, 2009 – all boat operators 25 years old and younger;
- January 1, 2010 – all boat operators 30 years old and younger;
- January 1, 2011 – all boat operators 35 years old and younger;
- January 1, 2012 – all boat operators 40 years old and younger;
- January 1, 2013 – all boat operators 50 years old and younger;
- January 1, 2014 – all boat operators 60 years old and younger;
- January 1, 2015 – all boat operators 70 years old and younger;

After January 1, 2016, all individuals age 12 and older must possess a boater education card to operate a vessel of 15 horsepower or greater.

Beginning January 1, 2008, those operators who are required to have a boating education card and wanting to rent a vessel, must present the card to livery (rental) operators. The livery operator must complete an operation and safety checklist with the vessel renter prior to the renter being allowed to use the vessel on the water if the renter does not have a boating education card.

#### **SL 4. Vessel Registration**

The Washington State Department of Licensing administers the titling and registration process for all boats and watercraft. While a majority of boats must be titled and registered, there are exceptions. Generally, all motorboats and sailboats 16 feet and longer must be titled and registered at the local county auditor's office or vehicle licensing sub agency office. Required documentation includes: proof of ownership, such as Manufacturer's Certificate of Origin, Carpenter's Certificate or Manufacturer's Invoice; the hull number, if available; and proof for any exemptions claimed. The signature of all owners except the lien holder(s) is also required. The Washington registration period is from July 1 through June 30 each year. Washington registration decals are valid for 1 year.

Vessels exempt from registration include, but are not limited to:

- Military or public vessels of the United States, except recreational-type public vessels;
- Vessels owned by a state or subdivision, if used principally for governmental purposes and clearly identifiable as such;
- Vessels either registered or numbered under the laws of a country other than the United States, or having a valid US Bureau of Customs and Border Protection cruising license.

On or before the 61st day of use in Washington State, a vessel must obtain an identification document from the Department of Licensing, its agents, or subagents indicating when that vessel first came into the state. At the time an identification document is issued, the vessel owner must pay a \$25.00 identification document fee to the Department of Licensing. After payment of costs, the State Treasurer will allocate any moneys remaining to counties for approved boating safety programs.

Vessels with a valid number under federal law or from an approved issuing authority of the state of principal operation are also exempt. However, a vessel that is validly registered out-of-state but moved to Washington State for principal use must be registered. The issuing authority for this state must recognize the validity of the numbers previously issued for a period of 60 days after arrival in this state.

Additional exemptions include the following:

- Vessels owned by a nonresident if the vessels are on Washington waters exclusively for repairs, alteration, or reconstruction.
- Vessels equipped with propulsion machinery of less than 10 horsepower that are owned by the owner of a vessel with a valid vessel number; and are used as a tender for direct transportation between that vessel and the shore and for no other purpose.
- Vessels under 16 feet in overall length with no propulsion machinery of any type or which are not used on waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States and are powered by propulsion machinery of 10 or less horsepower;
- Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;
- Vessels primarily engaged in commerce that have or are required to have a valid marine document as a vessel of the United States. Commercial vessels, which the Department of Revenue determines have the external appearance of vessels which would otherwise be required to register, must display decals issued annually by the Department of Revenue that indicate the vessel's exempt status; and
- Vessels primarily engaged in commerce and which are owned by a resident of a country other than the United States.

On and after January 1, 1998, vessels owned by a nonresident individual brought into the state for his or her use or enjoyment while temporarily in Washington State for less than 6 months in any continuous 12-month period, unless the vessel is conducting a no transitory business activity within the state. However, the vessel must have been issued a valid number under federal law or by an approved issuing authority of the state of principal operation. On or before the 61st day of use in Washington, a vessel temporarily in the state must obtain an identification document from the Department of Licensing, its agents, or subagents indicating when the vessel first came into the state. An identification document is valid for a period of 2 months. When an identification document is issued, the vessel owner must pay a \$25.00 identification document fee to the Department of Licensing. Moneys remaining from the fee after payment of costs will be allocated to counties by the State Treasurer for approved boating safety programs.

### **SL 5. Maximum Loading and Horsepower**

The State of Washington does not have any maximum loading and horsepower requirements that are in addition to federal regulations. To review federal regulations, refer to the section on Capacity Plates included in Chapter 1 of this course.

*The following information was approved by NASBLA and is included in Chapter 1 of the Boater101 Course:*

#### **Capacity Plates**

It is required for all mono-hull boats under 20 feet built on or after November 1, 1972 to have a capacity plate approved by the USCG. In addition, some manufacturers voluntarily install capacity plates on boats larger than 20 feet. This plate must be visible from the helm of the boat. The capacity plate lists a safe motor size, the maximum number of persons to be carried onboard and the total weight the boat can carry including persons, motor and gear. The manufacturer of the vessel should be contacted to determine the capacity if the capacity plate is not present. When operating your boat be sure to adhere to the restrictions listed on the capacity plate. Not only is it dangerous to overpower or overload a small boat since they can swamp or capsize more easily but it is also illegal. In many states, there are fines and penalties for exceeding capacity recommendations, including carrying more than the maximum number of people. A basic guideline to determine the capacity for the number of persons on a vessel is:

Length (in feet) X Width (in feet) divided by 15.

Example: 18 (feet) X 5 (feet wide) = 90. 90 divided by 15 = 6 (persons, maximum capacity). Six is the maximum number of people recommended that the boat can carry based on an average weight of 150 pounds. The amount of total weight for six persons does not include the weight of added gear and motor. The manufacturer of the vessel should be contacted to determine this additional capacity if a capacity plate is not present.

A boat may not be operated with propulsion machinery that is beyond the boats ability to operate safely. The manufacturer of the vessel should be contacted to determine the horsepower capacity of a vessel.

## **SL 6. Equipment and Lighting Requirements**

To operate a boat in the State of Washington, certain equipment is required by law, such as personal flotation devices (PFDs), sound producing devices, fire extinguishers, visual distress signals, ventilation systems and navigational lights. Specific requirements are outlined below.

### **Personal Flotation Devices:**

Vessels under 16 feet long, and canoes and kayaks of any length, must have one USCG-approved Type I, II, or III PFD of the proper size for each person on board.

Vessels 16 feet or longer, except a canoe or kayak, must have one USCG-approved Type I, II, or III wearable PFD of the proper size for each person on board and, in addition, one Type IV throwable PFD.

A USCG-approved Type V PFD may be carried in place of any required PFD if it is approved for the activity in which the vessel is engaged and is being worn. . All PFDs required must be readily accessible and in good and serviceable condition.

### **Mandatory PFD Usage**

Children 12 years old and younger must wear a USCG-approved PFD at all times when underway in a vessel under 19 feet in length, unless in a fully enclosed cabin. USCG approved life jackets must be worn by the operator and all passengers on personal watercraft, as well as anyone being towed behind a vessel.

### **Sound Producing Devices:**

A sound-producing device is required on all waters. It is essential during periods of reduced visibility. It must be audible for one-half mile. The sound-producing device requirements are:

- Vessels less than 65.6 feet (20 meters) in length, which includes PWCs, are required to carry on board a mouth-, hand-, or power-operated whistle or horn, or some other means to make an efficient sound signal.
- Vessels 65.6 feet (20 meters) or more in length are required to carry on board a whistle or horn, and a bell.
- No vessel may be equipped with a siren, except vessels used by law enforcement officers.

### **Fire Extinguishers:**

Motorboats with no fixed, fire-extinguishing system in the machinery space and which are:

- Under 26 feet (7.9 meters) in length must carry one hand portable extinguisher;
- Twenty-six feet (7.9 meters) but under 40 feet (12 meters) in length must carry two hand portable extinguishers;
- Forty feet (12 meters) or longer must have on board three hand portable extinguishers.

Motorboats with a fixed extinguishing system in the machinery space and which are:

- Less than 26 feet (7.9 meters) need not carry a hand portable extinguisher;
- Twenty-six feet (7.9 meters) or longer but under 40 feet (12 meters) must have on board one hand portable extinguisher;
- Forty feet (12 meters) or longer must have on board two hand portable extinguishers.

All fire extinguishers must be USCG-approved, fully charged and in serviceable condition.

Vessels with an outboard motor under 26 feet (7.9 meters) in length and of open construction are exempt from these requirements. The fire extinguishers required by this section are Class B-I, however, one Class B-II may be substituted for two Class B-I extinguishers.

### **Visual Distress Signals:**

All boaters must carry the appropriate visual distress signals (VDSs) when operating in coastal waters. Vessels 16 feet (4.9 meters) or longer cannot be operated unless they carry devices suitable for day and night use, or devices suitable for both day and night use. Vessels under 16 feet (4.9 meters) cannot be operated between sunset and sunrise unless they carry VDSs appropriate for night use.

VDSs must be legibly marked with the USCG approval number, readily accessible, in serviceable condition, and if marked with an expiration date, it cannot be expired.

If a vessel has a VDS requiring a launcher to activate the signal, it must also have on board a launcher approved by the U.S. Coast Guard. A VDS must not be displayed on Washington waters only in situations where assistance is needed due to immediate or potential danger to the persons on board.

### **Ventilation Systems:**

An onboard gasoline engine may not be operated without proper ventilation. Each vessel compartment with a permanently installed gasoline engine with a cranking motor must be open to the atmosphere, or ventilated by a natural ventilation system and a mechanical exhaust blower system.

A natural ventilation system must be approved for use by the USCG and must include a supply opening or duct from the atmosphere or from a ventilated compartment, and an exhaust opening into another ventilated compartment or duct to the atmosphere. Each exhaust opening or duct must originate in the lower third of the compartment; each supply opening or duct and each exhaust opening or duct in a compartment must be above the normal accumulation of bilge water.

Each vessel required to have an exhaust blower must have a label located near each ignition switch, in plain view of the operator, with the following information: "WARNING - GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE OPERATE BLOWER FOR FOUR (4) MINUTES AND CHECK ENGINE COMPARTMENT BILGE FOR GASOLINE VAPORS."

### **Backfire Flame Control:**

Backfire flame arrestors are needed on each carburetor of all power boats except outboards fueled with gasoline. Backfire arrestors are designed to prevent the ignition of gasoline vapor when engines backfire. They must meet U.S. Coast Guard approved standards, SAE J-1928 or UL 1111 standards. The information about the appropriate standard must be stamped on the flame arrestor.

### **Navigational Lights:**

Washington State does not have lighting requirements that are in addition to USCG regulations. The required navigational lights must be displayed during the hours from sunset to sunrise, and during times of restricted visibility.

### **SL 7. Marine Sanitation Devices (MSDs)**

The State of Washington does not currently have state-specific regulations governing MSDs that are in excess of USCG regulations. All vessels operated in the waters of this state are required to adhere to USCG MSD regulations.

### **SL 8. Muffling Devices**

All Motor-propelled vessels shall be equipped with and maintained with an effective muffler or underwater exhaust system that is in good working order and in constant use. No person may operate a boat on the waters of this state in a manner to exceed a noise level of seventy-five decibels measured from any point on the shoreline of the body of water on which the vessel is being operated. An effective muffler shall not produce sound levels in excess of: 90 decibels for engines made before January 1, 1994; and 88 decibels for engines made on or after January 1, 1994.

### **SL 9. Boating Accidents**

Washington state law requires that if an operator of a recreational vessel, if required to be registered, is involved in an accident, he or she must file a boating accident report if:

- A person dies
- A person is injured requiring medical treatment beyond first aid.
- Property damage to vessel(s) or other property exceeds \$500.
- A vessel is a complete loss
- A person disappears indicating either serious injury or death.

If the boat operator is unable to submit the boating accident report, the boat owner is responsible for filing the report. If the boat owner is unable to submit the boating accident report, the law enforcement agency that has jurisdiction in the area where the accident occurred will submit the report on behalf of the owner.

A boating accident report must be submitted within 48 hours of an occurrence if a person dies within 24 hours of the occurrence, is injured requiring medical treatment beyond first aid or disappears from a vessel. All other boating accident reports must be submitted within 10 days of the occurrence. Boating accident reports must be submitted to the law enforcement agency that has jurisdiction in the area where the incident occurred on the Boating Accident Report Form provided by the Washington State Parks and Recreation Commission. These forms can be obtained from the local law enforcement authority. Completed forms must be submitted by law enforcement to:

Washington State Parks and Recreation Commission  
Boating Programs  
7150 Cleanwater Lane  
P.O. Box 42654  
Olympia, WA 98504-2654

The boating accident report that you complete is confidential and may help save lives in the future. The report will be used by Washington State Parks and Recreation Commission only to develop boating safety programs. By law, the report cannot be used in any court or trial resulting from the accident.

If a boat is involved in an accident, the operator must give necessary assistance to the other

vessel and passengers, as long as it will not personally endanger the operator, his or her passengers, crew or the vessel. Washington State law has a "Good Samaritan" clause for mariners who offer help in an emergency: Under no circumstances may the rendering of assistance or other compliance with this section be evidence of liability for the collision, accident, or casualty. In addition, a person who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, will not be held liable for civil damages resulting from the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts in a reasonable way under the circumstances.

### **SL 10. Vessel Speed Restrictions**

In Washington, speed restrictions may be enforced for certain conditions and areas. All boat operators must comply with posted regulatory signs. When no limits are posted, operators should be careful not to endanger others by their operation. Every vessel must, under conditions of reduced visibility, proceed at a moderate speed with careful regard for existing circumstances and conditions. The boat must be able to stop safely within a clear distance ahead.

When passing near marinas, fishing areas, swimming areas, a vessel at anchor, or similar places, operators should reduce speed. Many local jurisdictions have ordinances prohibiting the operation of a motorboat at a speed greater than 6 miles an hour within 100 feet of shore, a dock, pier, float or anchored or moored vessel, unless taking off or landing a water skier. When within 100 feet of an area marked as a restricted swimming area or boat access area, vessels shall be operated at the minimum speed necessary to maintain steerageway. Boat operators are responsible for damage caused by the wake of their vessels.

### **SL 11. Mooring to Markers or Buoys**

It is unlawful to moor or attach a vessel to a beacon, light, buoy (other than a mooring buoy) or any other navigational aid installed on public waters by proper authorities. It is also unlawful to tamper with, move, displace, damage or destroy any navigational aid. Mooring buoys are white with a horizontal blue stripe centered on the circumference of the buoy. A lighted mooring buoy normally displays a slow flashing white light, but if located in a waterway where it could be an obstruction to vessels navigating at night, a quick-flashing light must be displayed. A mooring buoy is also required to display ownership identification.

### **SL 12. Reckless and Careless Operation**

In the State of Washington, it is unlawful for a person to operate a vessel in a reckless manner. Negligent operation is the failure to exercise the degree of care needed to prevent endangering another person or person's property. It can result from operator ignorance, carelessness, inattention or indifference. Negligent operation can result when a person operates a vessel at a speed or maneuvers a vessel in a way that results in death, serious physical injury or property damage. Actions such as speeding in confined or restricted areas, "buzzing" or "wetting down" others, or skiing at prohibited times or in restricted areas can also be considered negligent or reckless operation. Speed limits and zoned or restricted areas are determined by local ordinance. Become familiar with your local ordinances. A person shall not operate a personal watercraft in a reckless manner including weaving through congested traffic, recklessly jumping the wake of another boat unreasonably or unnecessarily close to the boat, or when visibility around the boat is obstructed. A person shall not recklessly swerve at the last possible moment to avoid a collision i.e. 'spraying' another boat. Violations are an infraction.

A person can be charged with homicide by watercraft under certain conditions:

If a person dies within three years as a result of injury caused by the operation of a vessel, or the operator is under the influence of alcohol or drugs, or is operating in a reckless manner.

A person can be charged with assault by watercraft under certain conditions:

If serious bodily injury occurs such as risk of death, permanent disfigurement, or loss of function of a part of the body or organ, and is operating in a reckless manner, or is under the influence of alcohol or drugs.

### **SL 13. Interference with Navigation**

It is unlawful to:

- Anchor a vessel in the traveled portion of a waterbody that will prevent or interfere with any other passing vessel.
- Obstruct a boat ramp, pier, wharf or access to any facility.
- Obstruct or mark the waters of Washington in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Washington.
- Operate or otherwise position a vessel, other object or any person in a way that would obstruct or impede the normal flow of traffic on the lakes of this state.

Puget Sound has a Vessel Traffic Systems (VTS) run by the US Coast Guard that oversees the shipping lanes through the Strait of Juan De Fuca and into Seattle. The Columbia River has shipping lanes but no vessel traffic system. Boaters in both of these locations need to watch out for large ships and take appropriate measures to avoid these ships.

- Shipping lanes in an area are identified on nautical charts.
- Avoid the commercial shipping traffic lanes by as wide a margin as possible.
- Always give commercial traffic the right of way.
- Cross the lanes at 90 degrees or as practical to the prevailing traffic.
- Always go astern of deep-draft traffic.
- Watch for ships under tow in the shipping lanes.
- Never cross ahead of a tug or between a tug and its tow.
- Know what the light pattern is that signifies a ship is under tow.
- Know how far it takes a large ship to stop.
- Know the approximate view from a ship bridge and how small recreational vessels are often not seen.
- Know that commercial ships in shipping lanes have right of way regardless of the type of your recreational vessel.
- A sailing vessel is defined by law as a motor vessel if it is fitted with an engine; the engine need not be engaged or idling.
- When the "rules of the road" refer to a "fishing vessel" the definition is exclusive for commercial fishing only and does not include charter fishing vessels.
- Never anchor in the shipping lanes for any reason.
- Know how to contact the ships bridge when necessary to communicate your position in relationship to the ship.
- Avoid using a cell phone for a distress call; VHF-FM radio is monitored by nearby vessels who can assist.
- When trying to contact commercial vessels in Puget Sound, the officer on the bridge will be standing by on channel 14/5A or 13, the frequency VTS uses. Note that they are not obligated to stand by channel 16.

You are in federal violation if you come within 100 yards of any Navy Unit at anchor, at the dock, or underway. At 500 yards reduce speed to minimum necessary to maintain steerageway. You are in federal violation if you come within 100 yards of any tanker, ferry or

cruise ship at anchor, at the dock or underway. At 500 yards reduce speed to minimum necessary to maintain steerageway.

#### **L 14. Boating Under the Influence**

In Washington State, it is unlawful for a person to operate a vessel while under the influence of intoxicating liquor or any drug. Capsizing or falling overboard causes most boating fatalities. This danger is compounded when a person is under the influence of alcohol as a boat is an unstable platform even in calm water. It shall be a violation for a person to operate a vessel while under the influence of intoxication liquor or any drug.

A person is considered to be under the influence of intoxicating liquor or any drug if:

- The person has 0.08 grams or more of alcohol per two hundred ten liters of breath, as shown by analysis of the person's breath; or
- The person has 0.08 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's blood; or
- The person is under the influence of or affected by intoxicating liquor or any drug; or
- The person is under the combined influence of or affected by intoxicating liquor and any drug.

By operating a boat or PWC on Washington waters, operators have consented to be tested for alcohol or drugs if requested by law enforcement personnel.

A conviction of boating under the influence is a misdemeanor, resulting in imprisonment in the county jail for a maximum term fixed by the court of not more than 90 days, or by a fine in an amount fixed by the court of not more than \$1,000, or by both fine and imprisonment.

In addition, the court may order the violator to pay restitution for any damages or injuries resulting from the offense.

#### **SL 15. Mandatory Violator Education**

The State of Washington has no mandatory violator education legislation at this time.

#### **SL 16. PWC Regulations**

No person shall operate a personal watercraft (PWC) on the waters of Washington State during the period from sunset until sunrise. All PWC operators are required to be at least 14 years old in Washington State.

It is unlawful for a person to lease, hire, or rent a PWC to anyone under 16 years old.

No person engaged in water skiing or the operation of a PWC should conduct himself or herself in a reckless manner that endangers, or is likely to endanger, any person or property.

All persons on a personal watercraft including persons being towed behind a personal watercraft must be wearing a U.S. Coast Guard approved life jacket.

A person operating a PWC equipped by the manufacturer with a lanyard-type engine cutoff switch must attach the lanyard to his or her person, clothing, or PFD as is appropriate for the specific vessel. It is unlawful for any person to remove or disable a cutoff switch installed by the manufacturer.

#### **SL 17. Water Ski Regulations**

It is unlawful to tow a person or persons on water skis or similar device on Washington waters unless there is at least an operator and an observer onboard. The observer and the operator cannot be the same person. An observer is required when a person is towed behind a vessel in a water skiing type of activity. The observer shall be physically and mentally capable of performing the following requirements: Continually observes skier; informs the operator of the towing boat when they are no longer being towed; raises the skier-down flag when a person is in the water preparing to ski or to return to the ski boat. A "skier down" flag must be displayed while the skier prepares to ski and after a skier falls in the water. The flag must be a bright red or brilliant orange color, measuring at least 12 inches square, mounted on a

pole not less than 24 inches long and displayed so as to be visible from all directions.

Any person towed behind a boat in a water skiing activity such as water skiing, kneeboarding, or tubing, or when a passenger of the boat is pulled behind a boat is by definition involved in the activity of water skiing. All those engaged in water skiing must wear an adequate and effective USCG-approved type I, II, III, or V PFD in good and serviceable condition and of appropriate size, or a wet suit approved for personal flotation by the USCG. Willful or wanton action by a skier that would endanger a person or property is considered reckless operation. Water skiing and operating a vessel to tow a water skier on the waters of Washington State are prohibited from one hour after sunset until one hour before sunrise.

### **SL 18. Divers-down Flag**

Federal navigation rules require vessels restricted in the ability to maneuver to display appropriate day shapes or lights. To meet this requirement, recreational vessels engaged in diving activities may exhibit a rigid replica of the international code flag "A" or a "Divers-Down" flag not less than one meter in height, or at night, display navigation lights 360 degrees red on top, white in middle and red on the bottom. Scuba divers, skin divers and snorkelers must mark their diving area by means of a diver's down flag. A distance of at least 200 feet between the flag and a vessel must be maintained.

### **SL 19. Liveries (Rental Agencies)**

"Bare-boat charter" means the unconditional lease, rental, or charter of a boat by the owner, or his or her agent, to a person who by written agreement, or contract, assumes all responsibility and liability for the operation, navigation, and provisioning of the boat during the term of the agreement or contract, except when a captain or crew is required or provided by the owner or owner's agents to be hired by the charterer to operate the vessel. All livery operators should educate their renters in the proper operation, navigation, and provide or make sure that the required equipment necessary to operate a boat is onboard. It is a misdemeanor to lease, hire, or rent a PWC to anyone under the age of 16.

### **SL 20. Other State-Specific Regulations**

#### **Carbon Monoxide and fire**

In 2002 over 2 million dollars of damage was caused to boats due to fire. With fire comes the potential for Carbon Monoxide poisoning. Make sure that if your cabin motorboat had adequate smoke detection equipment to prevent the possibility of fire. Make sure that your cabin motorboat has a carbon monoxide detector to prevent carbon monoxide poisoning. Do not allow anyone to sit on the rear step while the engine is running. Do not allow anyone to drag themselves by the swim step behind a boat with an engine running. Make sure that houseboats as well as cabin motorboats have adequate ventilation in the cabin compartment from exhaust given off by generators, heaters and air conditioners.

#### **Local Boating Ordinances**

Under state boating law, counties are permitted to adopt local ordinances. Boaters are encouraged to check with their local Sheriff's office or police department to get a listing of local boating ordinances.

Washington state law also regulates vessels carrying passengers for hire on whitewater rivers. See RCW 79A.60.400 - 79A.60.498.

### **SL 21. Environmental Awareness**

Under RCW 79A.60.560, the Washington State Parks and Recreation Commission is authorized to develop a statewide boater environmental education program concerning the effects of boat wastes.

### **Aquatic Nuisance Species:**

Aquatic Nuisance Species threaten the aquatic environment which is important to boaters. In order to preserve water quality and native species, boaters need to be aware of best practices to prevent the spread of both non-native plants and animals.

- The largest concerns for boaters in fresh water are aquatic weeds and New Zealand mud snails. The Lower Columbia River and all the water bodies on the Long Beach Peninsula are infested with the snails. They are so small and easily transported on gear and in live wells and bait wells that they are a huge problem. Boaters in infested areas need to clean them with very hot water (including bilges, bait and live wells) and let them dry out for several days. A weak chlorine solution should be used during the wet season.
- Weeds carry a variety of other species, including whirling disease pathogens, snails, and egg clusters of other species. It is illegal to have weeds on boats on any public road in the state. The Asian clam (*corbicula*) has been spread from one site on the Snake River into virtually every fresh water body in the state. It was unknowingly spread by boaters and anglers over the past 50 years.
- Zebra mussels have traveled into Montana. Boaters who travel out of state into the Missouri River, into the Oklahoma area (El Dorado Reservoir), or east of the 100<sup>th</sup> Meridian should clean their boats before putting them into local waters.
- Three species of sea squirts are becoming a serious issue. *Didemnum* infestations are found in BC – Okeover Inlet and around Vancouver Island. The smallest piece of the colony) a half inch square or less) can reproduce and form a new colony. *Styela Clava* have heavy infestations at Pleasant Harbor, Neah Bay, and Blaine. *Ciona Savigny* is present in Eagle Harbor and Des Moines marinas.
- Always clean the prop area and bottom of the hull at the launch area before leaving with your boat.

### **Marine Mammal Protection:**

The following operating guidelines for vessels are suggested not only to protect marine mammals, but also to benefit and protect boaters since an accident, such as a vessel/whale collision, could be detrimental to both the animal and the people involved:

- Boaters should not approach marine mammals within 100 yards.
- Boaters should not separate mothers from offspring.
- Boaters should approach whales slowly from the side, travel parallel to them and at the same speed as the slowest animals.

### **Shellfish:**

Harvesting shellfish is a fun way to enjoy our beaches. Before eating shellfish that you have collected, you must be aware that because shellfish are filter feeders, they consume large volumes of water during feeding. This also includes contaminants and other kinds of pollution. When boats anchor near shellfish beds and discharge sewage, shellfish may take up some of the disease-causing bacteria present in the sewage. Eating contaminated shellfish could cause gastrointestinal disorders, nausea, diarrhea, infectious hepatitis or other diseases.

Boaters - Try not to anchor where you know there are shellfish beds. Be sure not to discharge any sewage into shellfish areas.

Harvesters - Pay attention to the posted signs warning of possible shellfish contamination. Do not harvest shellfish near marinas or popular anchorages.

### **River Survival Tips:**

Washington's rivers are growing in popularity among recreational boaters for canoeing,

fishing, and whitewater paddling. By following some basic guidelines, you can be prepared to avoid hazardous conditions, which can contribute to boating accidents.

Secure all gear so that there is no danger of becoming entangled should you capsize.

Before paddling through rapids or danger spots, pull ashore and then walk ahead to examine the potentially dangerous areas. If in doubt, portage the craft around the trouble spot.

Take advantage of formal instruction offered by local clubs and the Red Cross.

Always wear your life jacket and consider wearing a helmet.

Trips should have at least three boats.

Each trip member should have a throw bag or other safety line.

Each group should carry a first-aid kit.

Avoid large and small dams. The backwash in such hazards can hold a boat and person underwater for a long time. Carry your boat around these deceptive traps.

Stay clear of sweepers, fallen trees and logjams that trap paddlers and boats. The current caused by the water flowing through the debris will pin you against them.

Be prepared for cold water by wearing a wet or dry suit. Do not underestimate cold water's ability to rob your strength.

If in moving water, keep feet pointed downstream and near the surface. Do not stand up in moving water unless it is too shallow to swim.

### **Hypothermia:**

Hypothermia is a condition in which the body loses heat faster than it can be produced. This causes a dangerous reduction of the body's inner core temperature. Hypothermia results from exposure to wind and wetness. A victim of hypothermia may become blue gray in color.

Violent shivering develops which may give way to muscle spasms and even loss of the use of arms and legs. Confusion and "drunken" behavior also indicate that a person may be hypothermic.

To protect yourself from hypothermia, avoid the conditions that cause it. Dress warmly and stay dry. Put on raingear before it rains and wear a wool jacket. Wool traps body heat even when wet. Know the effects that wind has on cold weather. It may be 40 degrees F (7 degrees C) outside with the sun shining, but a 10 mph wind lowers the wind-chill temperature to 28 degrees F (-2 degrees C).

It is recommended that an in class demonstration using a five-gallon immersion tank, with water about 50 degrees F. be used to help students understand how cold water can effect hand coordination.

Specific information will be provided on the importance of wearing life jackets in cold water conditions and how life jackets provide warming insulation.

### **Tsunamis:**

Washington State is on the Pacific rim of fire which is the main generator of seismic events that can create tsunamis. Washington had had tsunamis in the past and can expect another tsunami in the future. It is important for boaters in coastal areas including Puget Sound to know what to do if they are on their boat when a tsunami may strike. A tsunami is a series of ocean waves that are caused by disturbances in the earth's crust. Earthquakes, volcanic eruptions, explosions, landslides and meteorite impacts can all cause tsunamis. Tsunamis are unpredictable events. While tsunamis can occur in any ocean, most occur in the ring of fire areas from South America to Indonesia. Not all tsunamis are caused by far away events.

Local geologic events can cause earthquakes too. The Cascadia subduction zone is known to have caused tsunamis in the past and scientists assume that there will be another tsunami caused by slippage in the Pacific Northwest portion of this zone. Not all major earthquakes result in a tsunami. According to Sea Grant Hawaii tsunamis are capable of flooding areas

hundreds of feet inland past the normal high tide line. The water moves at three to six hundred mph and can crush almost anything in its path. Tsunamis cause rapid changes in the water including water levels and unpredictable currents especially in harbors and entrance channels.

Tsunamis move very quickly, several hundred miles per hour, and if an earthquake along the Cascadia subduction zone is severe, there will be little time available to get to high ground. If you are in an earthquake strong enough to knock you down, forget your boat and follow your local tsunami evacuation route procedures. Hawaii Sea Grant informs that if you receive a tsunami warning that allows you time to take care of your boat, move our trailered boat to an area outside the evacuation zone. You should have an evacuation plan including what to do with your boat and belongings and if there is time, you should have planned what you will take off your boat if you cannot move the boat itself. If time allows you can take your boat into deeper water (at least 1,200 feet deep) that is not in a harbor or at the entrance to a channel. If the body of water is either in the Puget Sound or the Lower Columbia River, you should anticipate heavy traffic heading seaward by large ships. You may not be able to get your boat out of the harbor in time and your best strategy is to leave the boat. You will want to take along your insurance and ownership papers as you evacuate. According to the National Oceanic and Atmospheric Administration in the event of a tsunami warning boaters should:

- If in deep water (600 feet or greater) should stay at sea.
- If in shallow water or harbors should move to deep water if there is enough time and weather conditions are suitable.
- If you take your boat out to sea, do not return until you hear an All Clear on the radio by the Civil Defense Agency.

#### **Additional Information**

For more information on Washington boating law refer to the Washington State Parks Department at <http://www.parks.wa.gov/boating.asp>, the Washington Administrative Code – Title 352 – Parks and Recreation Commission at <http://apps.leg.wa.gov/wac/>, the Revised Code of Washington at <http://apps.leg.wa.gov/rcw/>, and Chapter 79A.60 – Regulation of Recreational Vessels.