



**Statement of Thomas O’Keefe, PhD
On behalf of American Whitewater**

**Washington State Senate
Committee on Agriculture, Water, Natural Resources, and Parks
Kevin Van De Wege (D), Chair
Ron Muzzall (R), Ranking Member**

**PUBLIC HEARING ON Senate Bill 5597
February 6, 2023, 1:30 PM
Modifying Boater Safety and Education Requirements
Sponsors: Van De Wege, Lovick**

Chair Van De Wege, Ranking Member Muzzall, and members of the Committee, my name is Thomas O’Keefe, and I am the Pacific Northwest Stewardship Director for American Whitewater. American Whitewater is opposed to SB 5597. Thank you for holding today’s hearing and thank you for offering the opportunity to receive remote testimony to allow citizens of the state to provide input on this bill.

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with a mission to protect and restore America’s whitewater rivers and to enhance opportunities to enjoy them safely. The organization is the primary advocate for the preservation and protection of whitewater rivers throughout the United States, and water safety is a central component of our mission.

We appreciate the attention the legislature, and your Committee has placed on boating safety; this is an important discussion. The Washington State Parks and Recreation Commission oversees a robust boating safety education program that, contrary to the language in Section 1 of the bill, effectively serves both motor boating and paddlesports participants to increase safety on the water. Washington State has been at the forefront of paddlesports safety nationally and we acknowledge and recognize the great work of the Washington State Parks Boating Safety Program and Washington State Drowning Prevention Network.

The Primary Issue: A Need to Encourage Wider Usage of Personal Floatation Devices

Data from the 2021 Coast Guard Recreational Boating Statistics Report show that:¹

- 81 percent of fatal boating accident victims drowned,
- 83 percent of drowning victims were not wearing a life jacket,
- Alcohol was a contributing factor accounting for 16 percent of total fatalities.
- Where data was known, the vessel types with the highest percentage of deaths were open motorboats (44%), kayaks (15%), and pontoons (10%).

We need to:

- Focus on changing paddlesports culture to encourage increased adoption of personal floatation devices through active promotion of the Wear It Campaign of the National Safe Boating Council.²
- Ensure that the Life Jacket Loaner Program is fully supported and further expanded.³

Key Concerns With Bill As Drafted:

- The findings Section 1 is misleading and incorrect. This section incorrectly states “that recent data on Washington boating fatalities show that there are more reportable fatalities on human-powered watercraft than on other types of vessels.” For the past decade (2010-2020), Washington State has had an average of 11 non-motorized boating fatalities (representing 51% of total boating fatalities) with no increase in this number.⁴ In that same time, both participation rate in paddlesports and state population have increased and the fatality rate has declined;⁵ it is now well below 1 fatality per 100,000 participants.
- A state-mandated education program is inconsistent with how safety training is provided for human-powered activities in our state and across the nation. Mountain biking, backcountry skiing, rock climbing, SCUBA diving, and even hiking all have risks and every year accidents in these sports result in fatalities. As with paddlesports, all of these sports require safety training that is provided by businesses and organizations. For paddlesports,

¹ https://uscgboating.org/statistics/accident_statistics.php

² <https://safeboatingcampaign.com/>

³ <https://www.parks.wa.gov/956/Life-Jacket-Loaner-Program>

⁴ Based on review of Boating Accident Report forms submitted to Washington State Parks Boating Safety Program. Federal law requires filing of a boating accident report with the State reporting authority if the recreational vessel is involved in an accident that results in a fatality.

⁵ United States census data report a population for Washington State of 6,724,540 in 2010 and a population 7,705,281 in 2020 that has continued to increase <<https://www.census.gov/quickfacts/WA>>. Data from the State Outdoor Recreation Plan developed by Washington State Recreation and Conservation Office reports 773,004 individuals engaged in paddlesports in 2013 (based on 11.1% participation rate) and 1,677,850 in 2016 (based on 23.0% participation rate).

several businesses and organizations provide safety training that is uniquely tailored to the diverse waterways and different skills used to enjoy them.

- The legislation does not include inner tubes, air mattresses, sailboards, and small rafts or flotation devices or toys customarily used by swimmers. Washington State Department of Health data indicate that of Washington State residents who died from unintentional drowning, 10-20% were boating accidents, with a smaller percentage representing those who were engaged in human-powered boating. The legislation does not address the primary issue.
- The legislation raises equity concerns in expanding access to outdoor activities for those who have not traditionally had the opportunity to enjoy paddlesports. Volunteer-led programs in our community, such as those organized by Diversify for Whitewater, would be unable to function in their current format if participants were required to obtain a paddle education card before participating.
- Despite being leaders in paddlesports safety in Washington State and across the nation since 1954, American Whitewater was not consulted in the drafting of this legislation. Any discussion of boater safety legislation should start with consultation and engagement with the subject matter experts.

The data are clear: the most impactful way to address paddlesports fatalities and improve safety is to aggressively focus on encouraging more widespread use of personal floatation devices. We believe this can be accomplished through education and enhanced support of the Washington State Parks Boating Safety Program. This bill is a distraction and does not appropriately consider the extensive expertise in paddlesports safety among professionals in this field who live, work, and recreate in Washington State.

Thank you for the opportunity to speak before your Committee today. I would be happy to answer any questions.

Respectfully Submitted.

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