

**WAC 220-460-050 Whale watching vessel designation requirements.**

(1) RCW 77.65.615 requires commercial whale watching operators to designate the vessel(s) to be used for whale watching tours. It is unlawful to engage in commercial whale watching activities unless:

(a) The licensee has designated all commercial whale watching vessels to be used, regardless if using a motorized or sailing vessel, or kayak to guide tours;

(b) The department has issued a commercial license to the licensee showing the vessel so designated;

(c) The vessel operator has the commercial license for the current calendar year in physical possession.

(2) The licensee does not have to own the vessel being designated on the license.

(3) For motorized or sailing vessels, the licensee must provide current United States Coast Guard certification inspection documentation which allows the designated vessel to carry more than six passengers.

[Statutory Authority: RCW 77.12.047, 77.65.615, 77.65.620, 77.15.020, 77.15.160, 77.04.012, 77.04.55 [74.05.055]. WSR 21-01-216 (Order 20-264), § 220-460-050, filed 12/23/20, effective 1/23/21.]