
HOUSE BILL 2431

State of Washington

54th Legislature

1996 Regular Session

By Representative K. Schmidt

Read first time 01/10/96. Referred to Committee on Transportation.

1 AN ACT Relating to state pilotage exemptions for United States
2 vessels operating on coastwise, fisheries, or recreational
3 endorsements; and amending RCW 88.16.070.

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

5 **Sec. 1.** RCW 88.16.070 and 1995 c 174 s 1 are each amended to read
6 as follows:

7 A United States vessel on a voyage in which it is operating
8 exclusively on its coastwise endorsement, its fishery endorsement, or
9 its recreational (or pleasure) endorsement, and all United States and
10 Canadian vessels engaged exclusively in the coasting trade on the west
11 coast of the continental United States (including Alaska) and/or
12 British Columbia shall be exempt from the provisions of this chapter
13 unless a pilot licensed under this chapter be actually employed, in
14 which case the pilotage rates provided for in this chapter shall apply.
15 However, the board shall, upon the written petition of any interested
16 party, and upon notice and opportunity for hearing, grant an exemption
17 from the provisions of this chapter to any vessel that the board finds
18 is a small passenger vessel or yacht which is not more than five
19 hundred gross tons (international), does not exceed two hundred feet in

1 length, and is operated exclusively in the waters of the Puget Sound
2 pilotage district and lower British Columbia. Such an exemption shall
3 not be detrimental to the public interest in regard to safe operation
4 preventing loss of human lives, loss of property, and protecting the
5 marine environment of the state of Washington. Such petition shall set
6 out the general description of the vessel, the contemplated use of
7 same, the proposed area of operation, and the name and address of the
8 vessel's owner. The board shall annually, or at any other time when in
9 the public interest, review any exemptions granted to this specified
10 class of small vessels to insure that each exempted vessel remains in
11 compliance with the original exemption. The board shall have the
12 authority to revoke such exemption where there is not continued
13 compliance with the requirements for exemption. The board shall
14 maintain a file which shall include all petitions for exemption, a
15 roster of vessels granted exemption, and the board's written decisions
16 which shall set forth the findings for grants of exemption. Each
17 applicant for exemption or annual renewal shall pay a fee, payable to
18 the pilotage account. Fees for initial applications and for renewals
19 shall be established by rule, and shall not exceed one thousand five
20 hundred dollars. The board shall report annually to the legislature on
21 such exemptions. Every vessel not so exempt, shall while navigating
22 the Puget Sound and Grays Harbor and Willapa Bay pilotage districts,
23 employ a pilot licensed under the provisions of this chapter and shall
24 be liable for and pay pilotage rates in accordance with the pilotage
25 rates herein established or which may hereafter be established under
26 the provisions of this chapter: PROVIDED, That any vessel inbound to
27 or outbound from Canadian ports is exempt from the provisions of this
28 section, if said vessel actually employs a pilot licensed by the
29 Pacific pilotage authority (the pilot licensing authority for the
30 western district of Canada), and if it is communicating with the vessel
31 traffic system and has appropriate navigational charts, and if said
32 vessel uses only those waters east of the international boundary line
33 which are west of a line which begins at the southwestern edge of Point
34 Roberts then to Alden Point (Patos Island), then to Skipjack Island
35 light, then to Turn Point (Stuart Island), then to Kellet Bluff (Henry
36 Island), then to Lime Kiln (San Juan Island) then to the intersection
37 of one hundred twenty-three degrees seven minutes west longitude and
38 forty-eight degrees twenty-five minutes north latitude then to the
39 international boundary. The board shall correspond with the Pacific

1 pilotage authority from time to time to ensure the provisions of this
2 section are enforced. If any exempted vessel does not comply with
3 these provisions it shall be deemed to be in violation of this section
4 and subject to the penalties provided in RCW 88.16.150 as now or
5 hereafter amended and liable to pilotage fees as determined by the
6 board. The board shall investigate any accident on the waters covered
7 by this chapter involving a Canadian pilot and shall include the
8 results in its annual report.

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