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SENATE BILL 5356

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State of Washington

54th Legislature

1995 Regular Session

By Senators Owen, Prince and Bauer; by request of Board of Pilotage Commissioners

Read first time 01/20/95. Referred to Committee on Transportation.

1 AN ACT Relating to pilotage license fees; amending RCW 88.16.090;  
2 providing an effective date; and declaring an emergency.

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

4 **Sec. 1.** RCW 88.16.090 and 1991 c 200 s 1002 are each amended to  
5 read as follows:

6 (1) A person may pilot any vessel subject to the provisions of this  
7 chapter on waters covered by this chapter only if appointed and  
8 licensed to pilot such vessels on said waters under and pursuant to the  
9 provisions of this chapter.

10 (2) A person is eligible to be appointed a pilot if the person is  
11 a citizen of the United States, over the age of twenty-five years and  
12 under the age of seventy years, a resident of the state of Washington  
13 at the time of appointment and only if the pilot applicant holds as a  
14 minimum, a United States government license as a master of ocean or  
15 near coastal steam or motor vessels of not more than one thousand six  
16 hundred gross tons or as a master of inland steam or motor vessels of  
17 not more than one thousand six hundred gross tons, such license to have  
18 been held by the applicant for a period of at least two years prior to  
19 taking the Washington state pilotage examination and a first class

1 United States endorsement without restrictions on that license to pilot  
2 in the pilotage districts for which the pilot applicant desires to be  
3 licensed, and if the pilot applicant meets such other qualifications as  
4 may be required by the board. A person applying for a license under  
5 this section shall not have been convicted of an offense involving  
6 drugs or the personal consumption of alcohol in the twelve months prior  
7 to the date of application. This restriction does not apply to license  
8 renewals under this section.

9 (3) Pilots shall be licensed hereunder for a term of five years  
10 from and after the date of the issuance of their respective state  
11 licenses. Such licenses shall thereafter be renewed as of course,  
12 unless the board shall withhold same for good cause. Each pilot shall  
13 pay to the state treasurer an annual license fee (~~established by the~~  
14 ~~board of pilotage commissioners pursuant to chapter 34.05 RCW, but not~~  
15 ~~to exceed one thousand five hundred dollars, to be placed~~) as follows:  
16 For the period beginning July 1, 1995, through June 30, 1999, the fee  
17 shall be two thousand five hundred dollars; and for the period  
18 beginning July 1, 1999, the fee shall be three thousand dollars. The  
19 fees shall be deposited in the state treasury to the credit of the  
20 pilotage account. The board may assess partially active or inactive  
21 pilots a reduced fee.

22 (4) Pilot applicants shall be required to pass a written and oral  
23 examination administered and graded by the board which shall test such  
24 applicants on this chapter, the rules of the board, local harbor  
25 ordinances, and such other matters as may be required to compliment the  
26 United States examinations and qualifications. The board shall hold  
27 examinations at such times as will, in the judgment of the board,  
28 ensure the maintenance of an efficient and competent pilotage service.  
29 An examination shall be scheduled for the Puget Sound pilotage district  
30 if there are three or fewer successful candidates from the previous  
31 examination who are waiting to become pilots in that district.

32 (5) The board shall develop an examination and grading sheet for  
33 each pilotage district, for the testing and grading of pilot  
34 applicants. The examinations shall be administered to pilot applicants  
35 and shall be updated as required to reflect changes in law, rules,  
36 policies, or procedures. The board may appoint a special independent  
37 examination committee or may contract with a firm knowledgeable and  
38 experienced in the development of professional tests for development of  
39 said examinations. Active licensed state pilots may be consulted for

1 the general development of examinations but shall have no knowledge of  
2 the specific questions. The pilot members of the board may participate  
3 in the grading of examinations. If the board does appoint a special  
4 examination development committee it is authorized to pay the members  
5 of said committee the same compensation and travel expenses as received  
6 by members of the board. When grading examinations the board shall  
7 carefully follow the grading sheet prepared for that examination. The  
8 board shall develop a "sample examination" which would tend to indicate  
9 to an applicant the general types of questions on pilot examinations,  
10 but such sample questions shall not appear on any actual examinations.  
11 Any person who willfully gives advance knowledge of information  
12 contained on a pilot examination is guilty of a gross misdemeanor.

13 (6) All pilots and applicants are subject to an annual physical  
14 examination by a physician chosen by the board. The physician shall  
15 examine the applicant's heart, blood pressure, circulatory system,  
16 lungs and respiratory system, eyesight, hearing, and such other items  
17 as may be prescribed by the board. After consultation with a physician  
18 and the United States coast guard, the board shall establish minimum  
19 health standards to ensure that pilots licensed by the state are able  
20 to perform their duties. Within ninety days of the date of each annual  
21 physical examination, and after review of the physician's report, the  
22 board shall make a determination of whether the pilot or candidate is  
23 fully able to carry out the duties of a pilot under this chapter. The  
24 board may in its discretion check with the appropriate authority for  
25 any convictions of offenses involving drugs or the personal consumption  
26 of alcohol in the prior twelve months.

27 (7) The board shall prescribe, pursuant to chapter 34.05 RCW, a  
28 number of familiarization trips, between a minimum number of twenty-  
29 five and a maximum of one hundred, which pilot applicants must make in  
30 the pilotage district for which they desire to be licensed.  
31 Familiarization trips any particular applicant must make are to be  
32 based upon the applicant's vessel handling experience.

33 (8) The board may require vessel simulator training for a pilot  
34 applicant and shall require vessel simulator training for a pilot  
35 subject to RCW 88.16.105. The board shall also require vessel  
36 simulator training in the first year of active duty for a new pilot and  
37 at least once every five years for all active pilots.

38 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such  
39 reporting requirements and review procedures as may be necessary to

1 assure the accuracy and validity of license and service claims, and  
2 records of familiarization trips of pilot candidates. Willful  
3 misrepresentation of such required information by a pilot candidate  
4 shall result in disqualification of the candidate.

5 (10) The board shall adopt rules to establish time periods and  
6 procedures for additional training trips and retesting as necessary for  
7 pilots who at the time of their licensing are unable to become active  
8 pilots.

9 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and shall take  
12 effect July 1, 1995.

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