

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6095

Chapter 496, Laws of 2009

61st Legislature
2009 Regular Session

PUGET SOUND PILOTAGE DISTRICT TARIFF

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 21, 2009
YEAS 41 NAYS 8

BRAD OWEN

President of the Senate

Passed by the House April 9, 2009
YEAS 95 NAYS 2

FRANK CHOPP

Speaker of the House of Representatives

Approved May 15, 2009, 1:38 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6095** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 18, 2009

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6095

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Transportation (originally sponsored by Senators Haugen and Swecker)

READ FIRST TIME 03/02/09.

1 AN ACT Relating to the Puget Sound pilotage district tariff; and
2 amending RCW 88.16.035.

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

4 **Sec. 1.** RCW 88.16.035 and 2008 c 128 s 2 are each amended to read
5 as follows:

6 (1) The board of pilotage commissioners shall:

7 (a) Adopt rules, pursuant to chapter 34.05 RCW, necessary for the
8 enforcement and administration of this chapter;

9 (b)(i) Issue training licenses and pilot licenses to pilot
10 applicants meeting the qualifications provided for in RCW 88.16.090 and
11 such additional qualifications as may be determined by the board;

12 (ii) Establish a comprehensive training program to assist in the
13 training and evaluation of pilot applicants before final licensing; and

14 (iii) Establish additional training requirements, including a
15 program of continuing education developed after consultation with pilot
16 organizations, including those located within the state of Washington,
17 as required to maintain a competent pilotage service;

18 (c) Maintain a register of pilots, records of pilot accidents, and
19 other history pertinent to pilotage;

1 (d) Determine from time to time the number of pilots necessary to
2 be licensed in each district of the state to optimize the operation of
3 a safe, fully regulated, efficient, and competent pilotage service in
4 each district;

5 (e) Annually fix the pilotage tariffs for pilotage services
6 (~~performed aboard vessels as required by~~) provided under this
7 chapter: PROVIDED, That the board may fix extra compensation for extra
8 services to vessels in distress, for awaiting vessels, for all vessels
9 in direct transit to or from a Canadian port where Puget Sound pilotage
10 is required for a portion of the voyage, or for being carried to sea on
11 vessels against the will of the pilot, and for such other services as
12 may be determined by the board: PROVIDED FURTHER, That as an element
13 of the Puget Sound pilotage district tariff, the board may consider
14 pilot retirement plan expenses incurred in the prior year in either
15 pilotage district. However, under no circumstances shall the state be
16 obligated to fund or pay for any portion of retirement payments for
17 pilots or retired pilots;

18 (f) File annually with the governor and the chairs of the
19 transportation committees of the senate and house of representatives a
20 report which includes, but is not limited to, the following: The
21 number, names, ages, pilot license number, training license number, and
22 years of service as a Washington licensed pilot of any person licensed
23 by the board as a Washington state pilot or trainee; the names,
24 employment, and other information of the members of the board; the
25 total number of pilotage assignments by pilotage district, including
26 information concerning the various types and sizes of vessels and the
27 total annual tonnage; the annual earnings or stipends of individual
28 pilots and trainees before and after deduction for expenses of pilot
29 organizations, including extra compensation as a separate category; the
30 annual expenses of private pilot associations, including personnel
31 employed and capital expenditures; the status of pilotage tariffs,
32 extra compensation, and travel; the retirement contributions paid to
33 pilots and the disposition thereof; the number of groundings, marine
34 occurrences, or other incidents which are reported to or investigated
35 by the board, and which are determined to be accidents, as defined by
36 the board, including the vessel name, location of incident, pilot's or
37 trainee's name, and disposition of the case together with information
38 received before the board acted from all persons concerned, including

1 the United States coast guard; the names, qualifications, time
2 scheduled for examinations, and the district of persons desiring to
3 apply for Washington state pilotage licenses; summaries of dispatch
4 records, quarterly reports from pilots, and the bylaws and operating
5 rules of pilotage organizations; the names, sizes in deadweight tons,
6 surcharges, if any, port of call, name of the pilot or trainee, and
7 names and horsepower of tug boats for any and all oil tankers subject
8 to the provisions of RCW 88.16.190 together with the names of any and
9 all vessels for which the United States coast guard requires special
10 handling pursuant to their authority under the Ports and Waterways
11 Safety Act of 1972; the expenses of the board; and any and all other
12 information which the board deems appropriate to include;

13 (g) Make available information that includes the pilotage act and
14 other statutes of Washington state and the federal government that
15 affect pilotage, including the rules of the board, together with such
16 additional information as may be informative for pilots, agents,
17 owners, operators, and masters;

18 (h) Appoint advisory committees and employ marine experts as
19 necessary to carry out its duties under this chapter;

20 (i) Provide for the maintenance of efficient and competent pilotage
21 service on all waters covered by this chapter; and do such other things
22 as are reasonable, necessary, and expedient to insure proper and safe
23 pilotage upon the waters covered by this chapter and facilitate the
24 efficient administration of this chapter.

25 (2) The board may pay stipends to pilot trainees under subsection
26 (1)(b) of this section.

Passed by the Senate April 21, 2009.

Passed by the House April 9, 2009.

Approved by the Governor May 15, 2009.

Filed in Office of Secretary of State May 18, 2009.