

WAC 220-351-030 Vessel designation requirements. (1) In any licensed fishery for which a vessel is required under chapter 77.65 RCW, or for any delivery of food fish or shellfish, or for any charter fishery, it is unlawful to fish for, harvest, deliver, or possess food fish or shellfish unless:

(a) The licensee has designated the vessel from which the food fish or shellfish are to be taken or delivered;

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

(c) The vessel operator has the commercial license in physical possession.

(2) The following definitions apply to this section:

(a) "Documentation" means vessel documentation by the United States Coast Guard showing eligibility for the fishery. Once documentation is presented as evidence of ownership, it becomes the only acceptable evidence of ownership unless the vessel is remeasured, found to be less than five net tons, and no longer eligible for documentation.

(b) "Initial designation" means the designation by an individual licensee of a vessel to be used in a commercial fishery, for delivery of food fish or shellfish, or for charter fishing. Designation by that licensee on additional licenses is not "initial designation," and required evidence of ownership is the same as for continuing designation.

(c) "Continuing designation" means reapplication for a commercial license with no change in vessel designation.

(3) A licensee does not have to own the vessel being designated on the license. However, each licensee initially designating a vessel, except nontransferable emergency salmon delivery licensees, and every licensee continuing designation after the fourth continuous designation, must offer evidence of ownership. The following is the only acceptable evidence of ownership:

(a) For initial designation of a vessel measuring less than thirty-two feet in length, evidence of ownership may be either current state vessel registration or current documentation.

(b) For initial designation of a vessel thirty-two feet or greater in length, evidence of ownership is:

(i) Current documentation; or

(ii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement); or

(iii) Verification from the American Bureau of Shipping that the vessel does not meet the minimum tonnage requirement for documentation (formal admeasurement).

(c) For continuing designation of vessel less than thirty-two feet in length, evidence of ownership may be either current state vessel registration or current documentation.

(d) For continuing designation of a vessel between thirty-two and thirty-six feet in length, evidence of ownership is current state registration for vessels with state registration numbers or current documentation for documented vessels.

(e) For continuing designation of a vessel greater than thirty-six feet in length, evidence of ownership is:

(i) Current documentation; or

(ii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement); or

(iii) Verification from the American Bureau of Shipping that the vessel does not meet the minimum tonnage requirement for documentation (formal admeasurement).

(4) Every vessel designated to participate in a commercial fishery or to deliver food fish or shellfish must have the official Coast Guard documentation number, complete state registration number, or Alaska department of fish and game registration number permanently displayed in ten-inch tall numbers, or letters and numbers, of proportionate width, clearly visible from each side of the vessel. It is unlawful to participate in a commercial fishery or deliver food fish or shellfish without having such numbers displayed. This subsection does not apply to salmon guide, charter, or nontransferable emergency salmon delivery licensees, or to Canadian vessels delivering under a non-limited entry delivery license.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-351-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 34.05.353 (1)(b), (c), and (d), 77.12.047, 77.50.050, and chapters 77.65 and 77.70 RCW. WSR 12-09-046 (Order 12-61), § 220-20-051, filed 4/13/12, effective 5/14/12. Statutory Authority: RCW 75.08.080. WSR 94-23-059 (Order 94-162), § 220-20-051, filed 11/14/94, effective 12/15/94; WSR 94-01-001, § 220-20-051, filed 12/1/93, effective 1/1/94.]