

**WAC 220-460-070 Whale watching operator and kayak guide license requirements.** (1) A person may operate a motorized or sailing vessel designated on the commercial whale watching business license only if:

(a) The person holds a valid commercial whale watching operator license issued from the department;

(b) The operator is designated on the underlying commercial whale watching business license; and

(c) The person has both the commercial whale watching business license listing the vessel and their individual operator license for the current calendar year in physical possession.

(2) A person may lead a guided kayak tour on behalf of the commercial whale watching business only if:

(a) The person holds a valid kayak guide license issued from the department;

(b) The kayak guide is designated on the underlying commercial whale watching business license; and

(c) The person has their individual kayak guide license in physical possession and must have either the commercial whale watching business license for the current calendar year or a printed or digital scan thereof.

(3) Only an individual at least sixteen years of age may hold an operator license or kayak guide license.

(4) An individual may hold only one commercial whale watching operator license. Holders of an operator license may be designated on an unlimited number of commercial whale watching business licenses.

(5) An individual may hold only one kayak guide license. Holders of a kayak guide license may be designated on an unlimited number of commercial whale watching business licenses.

[Statutory Authority: RCW 77.65.615 and 77.65.620. WSR 21-23-070, § 220-460-070, filed 11/15/21, effective 12/16/21. 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), § 220-460-070, filed 12/23/20, effective 1/23/21.]