

WAC 352-60-040 Visual distress signals. (1) Application. The requirements for this section apply to coastal waters.

(2) No person shall operate or permit the operation of a vessel unless visual distress signals are carried on board under the following conditions:

(a) For vessels sixteen feet (4.9 meters) or more in length, devices suitable for day use and devices suitable for night use, or devices suitable for both day and night use must be carried on board.

(b) For vessels less than sixteen feet (4.9 meters) in length, visual distress signals for night use must be carried on board when operating between sunset and sunrise.

(3) Visual distress signals accepted. Any of the following signals as specified in Title 46, Code of Federal Regulations, Part 160, when carried in the number required, can be used to meet the requirements of this section:

(a) An electric distress light meeting the standards of Chapter 46, Code of Federal Regulations, Part 161.013. One is required to meet the night only requirement.

(b) An orange flag meeting the standards of Chapter 46, Code of Federal Regulations, Part 160.072. One is required to meet the day only requirement.

(c) Pyrotechnics meeting the standards noted in the table below:

Distress Signal Description	USCG Approval Number	Use	Number Required
Hand-Held Red Flare Signals	160.021	Day and Night	3
Floating Orange Smoke Signals	160.022	Day Only	3
Parachute Red Flare Signals	160.024	Day and Night	3
Hand-Held Rocket Propelled Parachute Red Flare Signals	160.036	Day and Night	3
Hand-Held Orange Smoke Signals	160.037	Day Only	3
Floating Orange Smoke Signals	160.057	Day Only	3
Red Aerial Pyrotechnic Flares	160.066	Day and Night	3

(4) Marking and stowage. Visual distress signals required by this section must be legibly marked with the United States Coast Guard approval number and must be readily accessible.

(5) Condition and expiration date. Visual distress signals required by this section must be in serviceable condition, and if marked with an expiration date, shall not be expired.

(6) Launchers. Any vessel that carries a visual distress signal required by this section where a launcher is necessary to activate the signal, must also have on board a launcher approved by the United States Coast Guard.

(7) Prohibited use. No person in a vessel shall display a visual distress signal on the waters of Washington state under any circumstance except a situation where assistance is needed because of immediate or potential danger to the persons on board.

(8) Exceptions. The following vessels, when operating between sunset and sunrise, must carry visual distress signals that meet the requirements of this section and are suitable for night use:

(a) A vessel competing in any organized marine parade, regatta, race or similar authorized event;

(b) A vessel being manually propelled; or

(c) A sailing vessel of completely open construction, less than twenty-six feet (7.9 meters) in length, and not equipped with propulsion machinery.

(9) Any combination of signal devices selected from the types noted in subsection (3) (a), (b) and (c) of this section, when carried in the number required, may be used to meet both day and night requirements. Examples - the combination of two hand-held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand-held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-040, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-040, filed 5/18/84.]