

CERTIFICATION OF ENROLLMENT

SENATE BILL 5104

52nd Legislature
1991 Regular Session

Passed by the Senate April 22, 1991
Yeas 45 Nays 0

President of the Senate

Passed by the House April 10, 1991
Yeas 95 Nays 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5104** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5104

AS AMENDED BY THE HOUSE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senators Moore, Amondson and Metcalf.

Read first time January 21, 1991. Referred to Committee on
Transportation.

1 AN ACT Relating to pilot examinations; and reenacting and amending
2 RCW 88.16.090.

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

4 **Sec. 1.** RCW 88.16.090 and 1990 c 116 s 27 and 1990 c 112 s 1 are
5 each reenacted and amended to 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

1 near coastal steam or motor vessels of not more than one thousand six
2 hundred gross tons or as a master of inland steam or motor vessels of
3 not more than one thousand six hundred gross tons, such license to have
4 been held by the applicant for a period of at least two years prior
5 such license to have been held by the applicant for a period of at
6 least two years prior to taking the Washington state pilotage
7 examination and a first class United States endorsement without
8 restrictions on that license to pilot in the pilotage districts for
9 which the pilot applicant desires to be licensed, and if the pilot
10 applicant meets such other qualifications as may be required by the
11 board. A person applying for a license under this section shall not
12 have been convicted of an offense involving drugs or the personal
13 consumption of alcohol in the twelve months prior to the date of
14 application. This restriction does not apply to license renewals under
15 this section.

16 (3) Pilots shall be licensed hereunder for a term of five years
17 from and after the date of the issuance of their respective state
18 licenses. Such licenses shall thereafter be renewed as of course,
19 unless the board shall withhold same for good cause. Each pilot shall
20 pay to the state treasurer an annual license fee established by the
21 board of pilotage commissioners pursuant to chapter 34.05 RCW, but not
22 to exceed one thousand five hundred dollars, to be placed in the state
23 treasury to the credit of the pilotage account. The board may assess
24 partially active or inactive pilots a reduced fee.

25 (4) Pilot applicants shall be required to pass a written and oral
26 examination administered and graded by the board which shall test such
27 applicants on this chapter, the rules of the board, local harbor
28 ordinances, and such other matters as may be required to compliment the
29 United States examinations and qualifications. The board shall
30 ~~((conduct the examination on a regular date, as prescribed by rule, at~~

1 ~~least once every two years~~) hold examinations at such times as will,
2 in the judgment of the board, ensure the maintenance of an efficient
3 and competent pilotage service. An examination shall be scheduled for
4 the Puget Sound pilotage district when there are three or less
5 successful candidates from the previous exam who are waiting to become
6 pilots in that district. The board shall provide, as prescribed by
7 rule, reasonable advance notice of the examination.

8 (5) The board shall ~~((have developed five))~~ develop an
9 examination((s)) and grading sheet((s for the Puget Sound pilotage
10 district, and two)) for each ~~((other))~~ pilotage district, for the
11 testing and grading of pilot applicants. The examinations shall be
12 administered to pilot applicants ~~((on a random basis))~~ and shall be
13 updated as required to reflect changes in law, rules, policies, or
14 procedures. The board may appoint a special independent examination
15 committee or may contract with a firm knowledgeable and experienced in
16 the development of professional tests for development of said
17 examinations. Active licensed state pilots may be consulted for the
18 general development of examinations but shall have no knowledge of the
19 specific questions. The pilot members of the board may participate in
20 the grading of examinations. If the board does appoint a special
21 examination development committee it is authorized to pay the members
22 of said committee the same compensation and travel expenses as received
23 by members of the board. When grading examinations the board shall
24 carefully follow the grading sheet prepared for that examination. The
25 board shall develop a "sample examination" which would tend to indicate
26 to an applicant the general types of questions on pilot examinations,
27 but such sample questions shall not appear on any actual examinations.
28 Any person who willfully gives advance knowledge of information
29 contained on a pilot examination is guilty of a gross misdemeanor.

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

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

21 (8) The board may prescribe vessel simulator training for a pilot
22 applicant, or pilot subject to RCW 88.16.105, as it deems appropriate,
23 taking into consideration the economic cost of such training, to
24 enhance that person's ability to perform pilotage duties under this
25 chapter.

26 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
27 reporting requirements and review procedures as may be necessary to
28 assure the accuracy and validity of license and service claims, and
29 records of familiarization trips of pilot candidates. Willful
30 misrepresentation of such required information by a pilot candidate

1 shall result in disqualification of the candidate.