

SENATE BILL REPORT

SB 5262

As Reported by Senate Committee On:
Transportation, February 14, 2017

Title: An act relating to the weight limitation for certain vessels exempt from the pilotage act.

Brief Description: Modifying the weight limitation for certain vessels exempt from the pilotage act. [**Revised for 1st Substitute:** Modifying limitations for certain vessels exempt from the pilotage act.]

Sponsors: Senators King and Hobbs.

Brief History:

Committee Activity: Transportation: 2/02/17, 2/14/17 [DPS].

Brief Summary of Substitute Bill

- Increases the volume threshold for certain vessels for which the Board of Pilotage (Board) may provide a pilotage waiver.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5262 be substituted therefor, and the substitute bill do pass.

Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland, Fortunato, Hawkins, O'Ban, Saldaña, Takko, Walsh and Wilson.

Staff: Hayley Gamble (786-7452)

Background: Board of Pilotage. Vessels operating in the Puget Sound or Grays Harbor pilotage districts are subject to compulsory pilotage, which means they must hire a licensed pilot to assist with vessel navigation. The Board of Pilotage (Board) is a state board created in 1935 that trains and licenses marine pilots, sets pilotage rates and enforces pilotage laws. The Board may also consider providing exemptions to pilotage requirements for certain vessels.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Statutory Exemptions to Pilotage. Generally, United States flagged vessels and certain Canadian vessels are exempt from pilotage requirements in Puget Sound or Grays Harbor pilotage districts.

Board Approved Exemptions to Pilotage. A United States flagged vessel heading to a foreign destination is not automatically exempt but may apply for a waiver. The Board may provide an exemption for small passenger vessels that are not more than 500 gross international tons, not more than 200 feet long, and operate exclusively in Puget Sound and lower British Columbia. They may also provide an exemption for yachts with a volume not more than 750 gross international tons and not more than 200 feet long. Any exemption application must include information about the vessel including its intended use and area of operation. An exemption applicant shall pay a fee of no more than \$1,500.

Summary of Bill (First Substitute): The tonnage limit for small passenger vessels that the Board of Pilotage may provide a waiver for is increased from 500 to 1300 gross international tons.

The tonnage limit for yachts that the Board of Pilotage may provide a waiver for is increased from 750 to 1300 gross international tons.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (First Substitute):

- Requires small passenger vessels that may be approved for a pilotage exemption to also be manned by U.S. or Canadian licensed deck and engine officers.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: 1,300 tons is a better fit, these yachts are few in number and will still have to go through the exemption process. These yachts have a positive economic impact on the area. New yachts are tending towards larger beams and thus larger volume. The Clipper has operated under an exemption for 30 years. The new Clipper vessel will be larger in volume and will exceed the current volume limit. The Clipper and FRS have outstanding safety records. The Clipper requires new Captains to first serve as a Mate.

OTHER: Puget Sound Pilots would favor a license requirement for passenger vessels to qualify for an exemption. A 1,000 ton limit would be preferable for yachts, with a pilot required on their first trip into the Sound. The Board examines yacht exemptions on a case by case basis and can add requirements to exemptions. The Board could require a pilot to be on board for first trips into the Sound. The Board has not had a fee increase for granting

these exemptions in a long time and would like to have the amount increased and have the ability to set these fees.

Persons Testifying: PRO: Peter Schrappen, NW Marine Trade Association; Mike Schott, citizen; Jason Mihok, Victoria Clipper; Darrell Bryan, Victoria Clipper.

OTHER: Eric VonBrandenfels, President, Puget Sound Pilots; Sheri Tonn, Chair, Washington State Board of Pilotage Commissioners.

Persons Signed In To Testify But Not Testifying: No one.