
SENATE BILL 6267

State of Washington

65th Legislature

2018 Regular Session

By Senators Ranker, Palumbo, Rolfes, Keiser, Liias, and Chase

Read first time 01/11/18. Referred to Committee on Energy,
Environment & Technology.

1 AN ACT Relating to providing an emergency response system that
2 provides for an emergency response towing vessel; and adding new
3 sections to chapter 88.46 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 88.46
6 RCW to read as follows:

7 (1) The legislature intends that the maritime industry cooperate
8 through a single umbrella organization or other mechanism to develop
9 an equitable method of funding and implementing the emergency
10 response system required by section 2 of this act, similar to that
11 developed by the industry to establish and fund the emergency
12 response system for the Strait of Juan de Fuca. The legislature
13 acknowledges that the majority of vessel traffic in Haro Strait and
14 Boundary Pass are inbound or outbound transits to or from ports in
15 Canada, and that an equitable funding method must include
16 participation by the owners of such vessels as well as those bound
17 for or outbound from ports in Washington state.

18 (2) If invited by the maritime industry, the department may
19 assist in seeking broad participation in developing a funding
20 mechanism for the emergency response system required by section 2 of
21 this act.

1 (3) By January 1, 2019, the department shall provide a report to
2 the appropriate standing committees of the senate and house of
3 representatives regarding the progress to date in establishing the
4 emergency response system required by section 2 of this act,
5 including the anticipated level of participation by owners of vessels
6 transiting these waters either inbound to or outbound from ports in
7 Canada. If the department determines that the emergency response
8 system required by section 2 of this act is not likely to be
9 implemented by July 1, 2019, the department's progress report must
10 include its recommendations on whether the requirements of section 2
11 of this act should be delayed or modified.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 88.46
13 RCW to read as follows:

14 (1) By July 1, 2019, the owner or operator of a covered vessel
15 transiting to or from a Washington port through Haro Strait, Boundary
16 Pass, or Rosario Strait shall establish and fund an emergency
17 response system that provides for an emergency response towing
18 vessel. The vessel must be stationed in the vicinity of the San Juan
19 Islands archipelago and be able to respond immediately to a vessel in
20 distress in Haro Strait, Boundary Pass, Rosario Strait, and connected
21 navigable waterways.

22 (2) An emergency response system must require minimum deployment
23 and equipment standards for towing vessels.

24 (a) A towing vessel must be able to:

25 (i) Deploy within twenty minutes of a decision to deploy;

26 (ii) Deploy at any hour of any day to provide emergency
27 assistance within the capabilities of the minimum planning standards
28 and be safely manned to remain underway for at least forty-eight
29 hours;

30 (iii) In severe weather conditions, stop, hold, and tow a
31 drifting or disabled vessel of one hundred eighty thousand metric
32 dead weight tons and holding position within one hundred feet of
33 another vessel;

34 (iv) Maneuver well enough to effectively employ a ship anchor
35 chain recovery hook and line throwing gun; and

36 (v) Complete a bollard pull of at least seventy short tons.

37 (b) A towing vessel must be equipped with appropriate equipment
38 for:

39 (i) Damage control patching;

- 1 (ii) Vessel dewatering;
- 2 (iii) Air safety monitoring; and
- 3 (iv) Digital photography.

4 (3) The requirements of this section may be fulfilled by one or
5 more private organizations or nonprofit cooperatives providing
6 umbrella coverage under contract to single or multiple covered
7 vessels.

8 (4)(a) The department, at its discretion, is authorized to
9 contract with the emergency response towing vessel in response to a
10 potentially emerging maritime casualty or as a precautionary measure
11 during severe storms. All instances of use by the department, the
12 department is responsible for the cost of its use of an emergency
13 response towing vessel.

14 (b) Covered vessels that are required to provide an emergency
15 response towing vessel under this section may not restrict the
16 emergency response towing vessel from responding to distressed
17 vessels that are not covered vessels.

18 (5) Nothing in this section limits the ability of a covered
19 vessel to contract with an emergency response towing vessel with
20 capabilities that exceed the minimum capabilities provided for a
21 towing vessel in this section.

22 (6) The covered vessel owner or operator shall submit a written
23 report to the department as soon as practicable regarding an
24 emergency response system deployment, including photographic
25 documentation determined by the department to be of adequate quality.
26 The report must provide a detailed description of the incident
27 necessitating a response and the actions taken to render assistance
28 under the emergency response system.

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