

RCW 53.08.390 Grays Harbor pilotage district—Conditions on pilotage service. A countywide port district located in part or in whole within the Grays Harbor pilotage district, as defined by RCW 88.16.050(2), may commence pilotage service with the following powers and subject to the conditions contained in this section.

(1) Persons employed to perform the pilotage service of a port district must be licensed under chapter 88.16 RCW to provide pilotage.

(2) Before establishing pilotage service, a port district shall give at least sixty days' written notice to the chair of the board of pilotage commissioners to provide pilotage.

(3) A port district providing pilotage service under this section requiring additional pilots may petition the board of pilotage commissioners to qualify and license as a pilot a person who has passed the examination and is on the waiting list for the training program for the district. If there are no persons on the waiting list, the board shall solicit applicants and offer the examination.

(4) In addition to the power to employ or contract with pilots, a port district providing pilotage services under this section has such other powers as are reasonably necessary to accomplish the purpose of this section including, but not limited to, providing through ownership or contract pilots launches, dispatcher services, or ancillary tug services required for operations or safety.

(5) (a) A port district providing pilotage services under this section may recommend to the utilities and transportation commission tariffs for pilotage services provided under chapter 88.16 RCW, and may recommend to the board of pilotage commissioners rules of service governing its pilotage services for consideration and adoption consistent with RCW 88.16.035. The rules of service, rates, and tariffs recommended by the port district must have been approved in open meetings of the port district thirty or more days after published notice in a newspaper of general circulation and after mailing a copy of the notice to: (i) The utilities and transportation commission for rate and tariff consideration, or (ii) the chair of the board of pilotage commissioners for rules of service consideration. The port district shall release its pilotage budget, including the five-year capital spending plan, prior year pilotage financial statement, and the proposed pilotage tariff, no later than thirty days prior to a public hearing. The port district shall receive public comments for thirty days before the port district commission may approve and recommend the pilotage tariff, rates, or rules of service.

(b) The port district must include a charge in its tariff until such time as the pilot retirement agreement expenses for Grays Harbor pilotage district pilots employed prior to October 1, 2001, are no longer owed. The port district shall determine the charge owed as pilot retirement agreement expenses. The charge must be sufficient to cover costs associated with the pilot retirement agreement expenses for Grays Harbor pilots employed prior to October 1, 2001. The revenue collected from the charge must be deposited into an account maintained by the port district solely for the pilot retirement agreement expenses of the Grays Harbor pilots employed prior to October 1, 2001. Under no circumstances shall the port district be obligated to fund or pay for any portion of the retirement agreement expenses for Grays Harbor pilots employed prior to October 1, 2001.

(6) A pilot providing pilotage services under this section must comply with all requirements of the pilotage act, chapter 88.16 RCW,

and all rules adopted thereunder. [2018 c 107 § 2; 2010 c 8 § 16003; 2001 2nd sp.s. c 22 § 1.]

Effective date—2018 c 107: See note following RCW 88.16.055.

Construction—2001 2nd sp.s. c 22: "Nothing in this act is intended to amend chapter 88.16 RCW." [2001 2nd sp.s. c 22 § 3.]

Effective date—2001 2nd sp.s. c 22: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [July 13, 2001]." [2001 2nd sp.s. c 22 § 4.]