

RCW 77.65.615 Commercial whale watching business license—Commercial whale watching operator license—Paddle tour business license—Paddle guide license—Fees—Definitions. (1) A commercial whale watching business license is required for commercial whale watching businesses. The annual fee for a commercial whale watching business license is \$200 in addition to the annual application fee of \$70.

(2) The annual application for a commercial whale watching business license as described in subsection (1) of this section must list each motorized or sailing vessel to be covered under the business license.

(3) The holder of a commercial whale watching business license for motorized or sailing vessels required under subsection (2) of this section may designate an additional vessel on the license if the license holder submits to the department an application that identifies the vessel proposed to be designated and any other information required by the department.

(4) A commercial whale watching operator license is required for commercial whale watching operators. A person may operate a motorized or sailing commercial whale watching vessel designated on a commercial whale watching business license only if:

(a) The person holds a commercial whale watching operator license issued by the director; and

(b) The person is designated as an operator on the underlying commercial whale watching business license.

(5) No individual may hold more than one commercial whale watching operator license. An individual who holds an operator license may be designated as an operator on an unlimited number of commercial whale watching business licenses.

(6) The annual application fee for a commercial whale watching operator license is \$25.

(7) A paddle tour business license is required for businesses conducting paddle tours. The annual fee for a paddle tour business license is \$200 in addition to the annual application fee of \$70.

(8) A person may conduct guided paddle tours only if:

(a) The person holds a paddle guide license issued by the director; and

(b) The person is designated as a guide on the underlying paddle tour business license.

(9) No individual may hold more than one paddle guide license. An individual who holds a paddle guide license may be designated on an unlimited number of paddle tour business licenses.

(10) The annual application fee for a paddle guide license is \$25.

(11) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Commercial whale watching" means the act of taking, or offering to take, passengers aboard a motorized or sailing vessel to view marine mammals in their natural habitat for a fee.

(b) "Commercial whale watching business" means a business that engages in the activity of commercial whale watching.

(c) "Commercial whale watching business license" means a department-issued license to operate a commercial whale watching business.

(d) "Commercial whale watching license" means a commercial whale watching business license or a commercial whale watching operator license as defined in this section.

(e) "Commercial whale watching operator" means a person who operates a motorized or sailing vessel engaged in the business of whale watching.

(f) "Commercial whale watching operator license" means a department-issued license to operate a commercial motorized or sailing vessel on behalf of a commercial whale watching business.

(g) "Commercial whale watching vessel" means any vessel that is being used as a means of transportation for individuals to engage in commercial whale watching.

(h) "Paddle guide" means a person who conducts guided tours on behalf of a paddle tour business.

(i) "Paddle guide license" means a department-issued license to conduct commercial guided paddle tours on behalf of a paddle tour business.

(j) "Paddle tour business" means a business that conducts paddle tours.

(k) "Paddle tour" means the act of guiding or offering to take people aboard nonmotorized or human-powered vessels, such as kayaks or paddleboards, on a trip, tour, or guided lesson that involves viewing marine mammals in their natural habitat for a fee.

(12) The residency and business requirements of RCW 77.65.040 (2) and (3) do not apply to Canadian individuals or corporations applying for and holding Washington commercial whale watching licenses defined in this section.

(13) The license and application fees in this section may be waived for organizations whose relevant commercial whale watching or marine paddle tour activities are solely for bona fide nonprofit educational purposes. [2023 c 452 § 7; 2021 c 284 § 1; 2019 c 291 § 2.]

Findings—Intent—2023 c 452: See note following RCW 77.15.740.

Effective date—2021 c 284: "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 [May 12, 2021]." [2021 c 284 § 2.]