

WAC 308-93-730 Indian tribe vessel numbering system. (1) What are the specifications for an Indian tribe vessel registration number? A tribal vessel number conforming to the specifications of 33 C.F.R. sections 173.27 and 174.23 and a certificate of number conforming to 33 C.F.R. section 174.19, must be assigned, and a "decal" must be issued for each Indian tribe and tribal member vessel and displayed thereon. Upon agreement of the Coast Guard and Indian tribes, different specification may be established for treaty fishing vessels.

(2) How are Indian tribe vessel registration numbers dispersed? Each tribe is entitled to a block of numbers with a unique tribal suffix. Each tribe may select a unique, three-letter suffix for its state or tribally produced vessel number, unless otherwise agreed upon by the Coast Guard. The vessel numbers must be of the same size and placed in the same location as specified for those vessels registered under chapter 88.02 RCW. The department will not issue a plaque, sticker, or other form of number to affix to a numbered vessel.

(3) Are Indian tribe vessel registration number decals unique to the tribe? The decal may be unique to each tribe, as long as the decal conforms to the Coast Guard specifications regarding size and color. A tribe may choose to use decals provided by the department.

(4) When will the department supply the Indian tribe with a list of vessel numbers and decals? By June 1st of each year, the department will provide each Indian tribe a list of vessel numbers, and state decals if the Indian tribe so requests, in the quantity, and with any particular three-letter suffix specified by the Indian tribe. Such quantity must be sufficient to enable each Indian tribe to issue a vessel number to each of its tribal fishers for the vessels they use in the treaty fishery. The department has thirty days to provide an Indian tribe the list of vessel numbers and decals after the Indian tribe has advised the department of its number and decal requirement.

(5) What happens if the department fails to provide a list of vessel numbers requested by an Indian tribe in the time frame outlined in subsection (4) of this section? Failure by the department to provide a list of vessel numbers requested by an Indian tribe in the time frames outlined in this section will not prohibit the Indian tribe or tribal fishermen from lawfully fishing under the treaty fishing right, and will be a complete defense in any action by the state to enforce its tax or vessel registration laws until the state complies with the terms of this section.

[Statutory Authority: RCW 88.02.100. WSR 02-05-058, § 308-93-730, filed 2/15/02, effective 3/18/02. Statutory Authority: RCW 88.02.100 and United States v Washington, Subproceeding No. 88-1. WSR 96-16-038, § 308-93-730, filed 8/1/96, effective 9/1/96.]