

**SENATE BILL 5104**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Moore, Amondson and Metcalf.

Read first time January 21, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to pilot examinations; and reenacting and amending  
2 RCW 88.16.090.

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

4 **Sec. 1.** RCW 88.16.090 and 1990 c 116 s 27 and 1990 c 112 s 1 are  
5 each reenacted and amended to read as follows:

6 (1) A person may pilot any vessel subject to the provisions of this  
7 chapter on waters covered by this chapter only if appointed and  
8 licensed to pilot such vessels on said waters under and pursuant to the  
9 provisions of this chapter.

10 (2) A person is eligible to be appointed a pilot if the person is  
11 a citizen of the United States, over the age of twenty-five years and  
12 under the age of seventy years, a resident of the state of Washington  
13 at the time of appointment and only if the pilot applicant holds as a  
14 minimum, a United States government license as a master of ocean or

1 near coastal steam or motor vessels of not more than one thousand six  
2 hundred gross tons or as a master of inland steam or motor vessels of  
3 not more than one thousand six hundred gross tons, such license to have  
4 been held by the applicant for a period of at least two years prior  
5 such license to have been held by the applicant for a period of at  
6 least two years prior to taking the Washington state pilotage  
7 examination and a first class United States endorsement without  
8 restrictions on that license to pilot in the pilotage districts for  
9 which the pilot applicant desires to be licensed, and if the pilot  
10 applicant meets such other qualifications as may be required by the  
11 board. A person applying for a license under this section shall not  
12 have been convicted of an offense involving drugs or the personal  
13 consumption of alcohol in the twelve months prior to the date of  
14 application. This restriction does not apply to license renewals under  
15 this section.

16 (3) Pilots shall be licensed hereunder for a term of five years  
17 from and after the date of the issuance of their respective state  
18 licenses. Such licenses shall thereafter be renewed as of course,  
19 unless the board shall withhold same for good cause. Each pilot shall  
20 pay to the state treasurer an annual license fee established by the  
21 board of pilotage commissioners pursuant to chapter 34.05 RCW, but not  
22 to exceed one thousand five hundred dollars, to be placed in the state  
23 treasury to the credit of the pilotage account. The board may assess  
24 partially active or inactive pilots a reduced fee.

25 (4) Pilot applicants shall be required to pass a written and oral  
26 examination administered and graded by the board which shall test such  
27 applicants on this chapter, the rules of the board, local harbor  
28 ordinances, and such other matters as may be required to compliment the  
29 United States examinations and qualifications. The board shall  
30 ~~((conduct the examination on a regular date, as prescribed by rule, at~~

1 ~~least once every two years~~) hold examinations at such times as will,  
2 in the judgment of the board, ensure the maintenance of an efficient  
3 and competent pilotage service. An examination shall be scheduled for  
4 the Puget Sound pilotage district when there are three or less  
5 successful candidates from the previous exam who are waiting to become  
6 pilots in that district.

7 (5) The board shall ~~((have developed five))~~ develop an  
8 examination((s)) and grading sheet((s for the Puget Sound pilotage  
9 district, and two)) for each ~~((other))~~ pilotage district, for the  
10 testing and grading of pilot applicants. The examinations shall be  
11 administered to pilot applicants ~~((on a random basis))~~ and shall be  
12 updated as required to reflect changes in law, rules, policies, or  
13 procedures. The board may appoint a special independent examination  
14 committee or may contract with a firm knowledgeable and experienced in  
15 the development of professional tests for development of said  
16 examinations. Active licensed state pilots may be consulted for the  
17 general development of examinations but shall have no knowledge of the  
18 specific questions. The pilot members of the board may participate in  
19 the grading of examinations. If the board does appoint a special  
20 examination development committee it is authorized to pay the members  
21 of said committee the same compensation and travel expenses as received  
22 by members of the board. When grading examinations the board shall  
23 carefully follow the grading sheet prepared for that examination. The  
24 board shall develop a "sample examination" which would tend to indicate  
25 to an applicant the general types of questions on pilot examinations,  
26 but such sample questions shall not appear on any actual examinations.  
27 Any person who willfully gives advance knowledge of information  
28 contained on a pilot examination is guilty of a gross misdemeanor.

29 (6) All pilots and applicants are subject to an annual physical  
30 examination by a physician chosen by the board. The physician shall

1 examine the applicant's heart, blood pressure, circulatory system,  
2 lungs and respiratory system, eyesight, hearing, and such other items  
3 as may be prescribed by the board. After consultation with a physician  
4 and the United States coast guard, the board shall establish minimum  
5 health standards to ensure that pilots licensed by the state are able  
6 to perform their duties. Within ninety days of the date of each annual  
7 physical examination, and after review of the physician's report, the  
8 board shall make a determination of whether the pilot or candidate is  
9 fully able to carry out the duties of a pilot under this chapter. The  
10 board may in its discretion check with the appropriate authority for  
11 any convictions of offenses involving drugs or the personal consumption  
12 of alcohol in the prior twelve months.

13 (7) The board shall prescribe, pursuant to chapter 34.05 RCW, a  
14 number of familiarization trips, between a minimum number of twenty-  
15 five and a maximum of one hundred, which pilot applicants must make in  
16 the pilotage district for which they desire to be licensed.  
17 Familiarization trips any particular applicant must make are to be  
18 based upon the applicant's vessel handling experience.

19 (8) The board may prescribe vessel simulator training for a pilot  
20 applicant, or pilot subject to RCW 88.16.105, as it deems appropriate,  
21 taking into consideration the economic cost of such training, to  
22 enhance that person's ability to perform pilotage duties under this  
23 chapter.

24 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such  
25 reporting requirements and review procedures as may be necessary to  
26 assure the accuracy and validity of license and service claims, and  
27 records of familiarization trips of pilot candidates. Willful  
28 misrepresentation of such required information by a pilot candidate  
29 shall result in disqualification of the candidate.