

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1311

Chapter 175, Laws of 1995

54th Legislature
1995 Regular Session

PILOTAGE LICENSE FEES

EFFECTIVE DATE: 7/1/95

Passed by the House February 22, 1995
Yeas 98 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1995
Yeas 47 Nays 1

JOEL PRITCHARD

President of the Senate

Approved May 1, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1311** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 1, 1995 - 11:16 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 1311

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives K. Schmidt, R. Fisher and Blanton; by request of Board of Pilotage Commissioners

Read first time 01/20/95. Referred to Committee on Transportation.

1 AN ACT Relating to pilotage license fees; amending RCW 88.16.090;
2 providing an effective date; and declaring an emergency.

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

4 **Sec. 1.** RCW 88.16.090 and 1991 c 200 s 1002 are each amended to
5 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
15 near coastal steam or motor vessels of not more than one thousand six
16 hundred gross tons or as a master of inland steam or motor vessels of
17 not more than one thousand six hundred gross tons, such license to have
18 been held by the applicant for a period of at least two years prior to
19 taking the Washington state pilotage examination and a first class

1 United States endorsement without restrictions on that license to pilot
2 in the pilotage districts for which the pilot applicant desires to be
3 licensed, and if the pilot applicant meets such other qualifications as
4 may be required by the board. A person applying for a license under
5 this section shall not have been convicted of an offense involving
6 drugs or the personal consumption of alcohol in the twelve months prior
7 to the date of application. This restriction does not apply to license
8 renewals under this section.

9 (3) Pilots shall be licensed hereunder for a term of five years
10 from and after the date of the issuance of their respective state
11 licenses. Such licenses shall thereafter be renewed as of course,
12 unless the board shall withhold same for good cause. Each pilot shall
13 pay to the state treasurer an annual license fee (~~established by the~~
14 ~~board of pilotage commissioners pursuant to chapter 34.05 RCW, but not~~
15 ~~to exceed one thousand five hundred dollars, to be placed~~) as follows:
16 For the period beginning July 1, 1995, through June 30, 1999, the fee
17 shall be two thousand five hundred dollars; and for the period
18 beginning July 1, 1999, the fee shall be three thousand dollars. The
19 fees shall be deposited in the state treasury to the credit of the
20 pilotage account. The board may assess partially active or inactive
21 pilots a reduced fee.

22 (4) Pilot applicants shall be required to pass a written and oral
23 examination administered and graded by the board which shall test such
24 applicants on this chapter, the rules of the board, local harbor
25 ordinances, and such other matters as may be required to compliment the
26 United States examinations and qualifications. The board shall hold
27 examinations at such times as will, in the judgment of the board,
28 ensure the maintenance of an efficient and competent pilotage service.
29 An examination shall be scheduled for the Puget Sound pilotage district
30 if there are three or fewer successful candidates from the previous
31 examination who are waiting to become pilots in that district.

32 (5) The board shall develop an examination and grading sheet for
33 each pilotage district, for the testing and grading of pilot
34 applicants. The examinations shall be administered to pilot applicants
35 and shall be updated as required to reflect changes in law, rules,
36 policies, or procedures. The board may appoint a special independent
37 examination committee or may contract with a firm knowledgeable and
38 experienced in the development of professional tests for development of
39 said examinations. Active licensed state pilots may be consulted for

1 the general development of examinations but shall have no knowledge of
2 the specific questions. The pilot members of the board may participate
3 in the grading of examinations. If the board does appoint a special
4 examination development committee it is authorized to pay the members
5 of said committee the same compensation and travel expenses as received
6 by members of the board. When grading examinations the board shall
7 carefully follow the grading sheet prepared for that examination. The
8 board shall develop a "sample examination" which would tend to indicate
9 to an applicant the general types of questions on pilot examinations,
10 but such sample questions shall not appear on any actual examinations.
11 Any person who willfully gives advance knowledge of information
12 contained on a pilot examination is guilty of a gross misdemeanor.

13 (6) All pilots and applicants are subject to an annual physical
14 examination by a physician chosen by the board. The physician shall
15 examine the applicant's heart, blood pressure, circulatory system,
16 lungs and respiratory system, eyesight, hearing, and such other items
17 as may be prescribed by the board. After consultation with a physician
18 and the United States coast guard, the board shall establish minimum
19 health standards to ensure that pilots licensed by the state are able
20 to perform their duties. Within ninety days of the date of each annual
21 physical examination, and after review of the physician's report, the
22 board shall make a determination of whether the pilot or candidate is
23 fully able to carry out the duties of a pilot under this chapter. The
24 board may in its discretion check with the appropriate authority for
25 any convictions of offenses involving drugs or the personal consumption
26 of alcohol in the prior twelve months.

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

33 (8) The board may require vessel simulator training for a pilot
34 applicant and shall require vessel simulator training for a pilot
35 subject to RCW 88.16.105. The board shall also require vessel
36 simulator training in the first year of active duty for a new pilot and
37 at least once every five years for all active pilots.

38 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
39 reporting requirements and review procedures as may be necessary to

1 assure the accuracy and validity of license and service claims, and
2 records of familiarization trips of pilot candidates. Willful
3 misrepresentation of such required information by a pilot candidate
4 shall result in disqualification of the candidate.

5 (10) The board shall adopt rules to establish time periods and
6 procedures for additional training trips and retesting as necessary for
7 pilots who at the time of their licensing are unable to become active
8 pilots.

9 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of the
11 state government and its existing public institutions, and shall take
12 effect July 1, 1995.

Passed the House February 22, 1995.

Passed the Senate April 10, 1995.

Approved by the Governor May 1, 1995.

Filed in Office of Secretary of State May 1, 1995.