

HOUSE BILL REPORT

SSB 6602

As Passed House:

March 7, 2008

Title: An act relating to the pilotage act.

Brief Description: Modifying pilotage act and related provisions.

Sponsors: By Senate Committee on Transportation (originally sponsored by Senators Haugen and Swecker; by request of Board of Pilotage Commissioners).

Brief History:

Committee Activity:

Transportation: 2/28/08 [DP].

Floor Activity:

Passed House: 3/7/08, 94-0.

Brief Summary of Substitute Bill

- Makes a variety of changes to the qualification and licensing requirements for marine pilots and pilot trainees.
- Modifies certain administrative functions of the Board of Pilotage Commissioners.
- Grants civil immunity to certain individuals in the context of certain marine incidents or occurrences.
- Redesignates the Pilotage Account as a nonappropriated account.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 24 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Ericksen, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton, Dickerson, Eddy, Herrera, Hudgins, Jarrett, Kristiansen, Loomis, Rodne, Rolfes, Sells, Simpson, Smith, Springer, Takko, Upthegrove, Wallace, Warnick, Williams and Wood.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: David Munnecke (786-7315).

Background:

The Board of Pilotage Commissioners (Board) is required to provide for the maintenance of efficient and competent pilotage service on the waters of the Puget Sound pilotage district and the Grays Harbor pilotage district. To this end, the Board examines the proficiency of potential pilots, licenses pilots, enforces the use of pilots, sets pilotage rates, investigates reported accidents involving pilots, keeps records of various matters affecting pilotage, and performs various other duties as required by law.

Summary of Bill:

A variety of statutory provisions regarding the implementation of the Pilotage Act are revised.

Qualifications and Licensing

The following changes are made regarding the qualification and licensing requirements for marine pilots and pilot trainees:

- allows the Board to contract with private or governmental entities, and to consult with active marine pilots in establishing, administering, and grading marine pilot licensing exams or simulator evaluations;
- clarifies that physical exams are not required until licenses are issued;
- specifies a process to review a pilot applicant's written exams and evaluation exercises to qualify for pilot trainee status; and
- specifies venue on administrative appeals.

Administrative Changes

The following changes are made to administrative provisions of the Pilotage Act:

- clarifies the Board's collecting, reporting, and publishing requirements;
- clarifies that the yacht exemption language applies to certain yachts regardless of whether operated only in the Puget Sound and lower British Columbia;
- clarifies provisions regarding the ranking of applicants for entry into the pilot trainee program;
- adds references to "pilot trainees" as a technical change;
- integrates liability limitation language from two different bills enacted during the 2005 session;
- grants civil immunity to pilots, pilot trainees, and Board members regarding communications related to information about certain marine incidents or occurrences, or reports of the performances of pilots or pilot trainees; and
- specifies a reporting process for masters, pilots, or pilot trainees who deviate from the requirements of the Pilotage Act in order to comply with any federal or international law, other state law, or to ensure the safety of the vessel or crew under his or her control.

Pilotage Account

Effective July 1, 2009, the Pilotage Account (Account) is redesignated as a nonappropriated account in the custody of the State Treasurer. Expenditures from the Account may be made only by the Board or Board's designee, and only for the purposes of the Board as prescribed under the Pilotage Act. Interest earnings in the Account remain in the Account.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed, except for sections 17 through 20, relating to redesignating the Pilotage Account as a non-appropriated account, which take effect July 1, 2009.

Staff Summary of Public Testimony:

This bill is agency request legislation, and it represents an effort by the Board of Pilotage Commissioners (Board) to ensure that Washington has a safe and efficient pilotage system. This bill was drafted and vetted through a collaborative process involving the Board and stakeholders, such as the Puget Sound Pilots and the Pacific Merchant Shipping Association.

This bill does not include any controversial elements and originally only included changes that received the consensus support of all the Board members and stakeholders. The Senate added language to make the Pilotage Account an unappropriated account in order to solve problems that have plagued the Board for the last decade.

Persons Testifying: Harry Dudley, Board of Pilotage Commissioners.

Persons Signed In To Testify But Not Testifying: None.