

Chapter 352-60 WAC
RECREATIONAL VESSEL EQUIPMENT AND OPERATION

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WAC

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WAC 352-60-010 Purpose. This chapter is promulgated in order to establish standards for boating safety equipment and related activities in recreational boating in accordance with RCW 43.51.400.

Application. These requirements apply to all recreational vessels used on waters of the state of Washington.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-010, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-010, filed 5/18/84.]

WAC 352-60-020 Definitions. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

"Carrying passengers for hire" means carrying passengers in a vessel on waters of the state for valuable consideration, whether given directly or indirectly or received by the owner, agent, operator, or other person having an interest in the vessel. This shall not include trips where expenses for food, transportation, or incidentals are shared by participants on an even basis. Anyone receiving compensation for skills or money for amortization of equipment and carrying passengers shall be considered to be carrying passengers for hire on waters of the state.

"Coastal waters" means those waters (i.e., bays, sounds, harbors, rivers, inlets, etc.) directly connected to the territorial seas of the state of Washington where any entrance exceeds two nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to two miles, as shown on the current edition of the appropriate National Ocean Service chart used for navigation. Shorelines of islands or points of land present within a waterway are considered when determining the distance between opposite shorelines.

"International waters" means the high seas within the territorial limits of Washington state seaward of the demarcation lines dividing the high seas from the harbors, rivers, bays, sounds, and other inland waters, as established in Chapter 33, Code of Federal Regulations, Part 80, and are governed by the International Regulations for Pre-

venting Collisions at Sea, 1972, (72 COLREGS), Chapter 33, Code of Federal Regulations, Part 81-72, Appendix A.

"Inland waters" means the waters within the territorial limits of Washington state shoreward of the demarcation lines dividing the high seas from harbors, rivers, bays, sounds, and other inland waters, as established in Chapter 33, Code of Federal Regulations, Part 80, which are not governed by the International Regulations for Preventing Collisions at Sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, Part 81-72, Appendix A.

"Length" means a straight line measurement of the overall distance from the foremost point of a vessel to the aftermost part of a vessel, measured parallel to the centerline not including bow sprits, bumpkins, boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments.

"Observer" means an individual riding in a vessel who is responsible for observing a water skier at all times.

"Operate" means to steer, direct, or otherwise have physical control of a vessel that is underway.

"Operator" means an individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

"Owner" means a person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

"Person" means any individual, sole proprietorship, partnership, corporation, nonprofit corporation or organization, limited liability company, firm, association, or other legal entity located within or outside this state.

"Personal flotation device" means a wearable Type I off-shore life jacket, Type II wearable near-shore buoyant vest, Type III wearable flotation aid, Type IV throwable ring buoy or buoyant cushion, or Type V special use device or hybrid inflatable device, that is approved by the United States Coast Guard Commandant under Chapter 46, Code of Federal Regulations, Part 160.

"PFD" means a personal flotation device.

"Power-driven vessel" means any vessel propelled by machinery.

"Sailing vessel" means any vessel under sail provided that propelling machinery, if fitted, is not being used.

"Racing shell, rowing scull, and racing kayak" means any manually propelled boat that is recognized by a national or international racing association for use in competitive racing, in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and which is not designed to carry and does not carry any equipment not solely for competitive racing.

"Underway" means that a vessel is not at anchor, or made fast to the shore, or aground.

"Use" means to operate, navigate, moor or employ.

"Vessel" means every description of watercraft used or capable of being used as a means of transportation on the water, other than a seaplane. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

"Vessel engaged in fishing" means any vessel fishing with nets, lines, trawls or other fishing apparatus which restrict maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability.

"Vessel not under command" means a vessel which through some exceptional circumstance is unable to maneuver as required by these requirements and is therefore unable to keep out of the way of another vessel.

"Vessel restricted in her ability to maneuver" means a vessel which from the nature of her work is restricted in her ability to maneuver as required by these requirements and is therefore unable to keep out of the way of another vessel. Vessels restricted in their ability to maneuver include, but are not limited to:

- A vessel engaged in laying, servicing or picking up a navigation mark, submarine cable, or pipeline;
- A vessel engaged in dredging, surveying, or underwater operations;
- A vessel engaged in replenishment or transferring persons, provisions, or cargo while underway;
- A vessel engaged in the launching or recovery of aircraft;
- A vessel engaged in mineclearance operations; and
- A vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.

"Visual distress signal" means any signalling device approved by the United States Coast Guard for use on recreational vessels.

"Water skiing" means the physical act of being towed behind a vessel on, but not limited to, any skis, aquaplane, kneeboard, tube, or any other similar device.

"Waters of the state" means any waters within the territorial limits of Washington state.

"Whistle" means any sound signaling appliance capable of producing the prescribed blasts and which complies with specifications found in Title 33, Code of Federal Regulations, Part 81, Appendix A.

"Whitewater rivers of the state" means those rivers and streams, or parts thereof, within the boundaries of the state as listed in RCW 88.12.265 or as designated by the commission in WAC 352-60-140(2).

"Whitewater river outfitter" means any person who is advertising to carry or carries passengers for hire on any whitewater river of the state, but does not include any person whose only service on a given trip is providing instruction in canoeing or kayaking skills.

[Statutory Authority: RCW 88.12.279 and 43.51.400. WSR 98-07-022, § 352-60-020, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-020, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-020, filed 5/18/84.]

WAC 352-60-030 Personal flotation devices required. No person shall operate or permit the operation of a vessel on the waters of the state unless the vessel has on board United States Coast Guard approved personal flotation devices as follows:

(1) Vessels less than sixteen feet (4.9 meters) in length, and canoes and kayaks of any length, must have one Type I, II, or III PFD, or one wearable with a buoyancy of 50, 70, 100, 150, or 275 newtons and is of the proper size for each person on board.

(2) Vessels sixteen feet (4.9 meters) or more in length, except a canoe or kayak, must have one Type I, II, or III wearable PFD, or a wearable PFD with a buoyancy of 50, 70, 100, 150, or 275 newtons of

the proper size for each person on board and, in addition, one Type IV, or a throwable PFD.

(3) Alternate PFD requirement. A United States Coast Guard approved Type V PFD may be carried in lieu of any required PFD under this section if it is approved for the activity in which the vessel is engaged in and used in compliance with requirements on the approval label.

(4) Stowage and condition.

(a) All personal flotation devices required by this section shall be readily accessible to all persons on board and be in good and serviceable condition. All Type IV or throwable personal flotation devices must be immediately available.

(b) All devices shall be approved by the United States Coast Guard and marked in compliance with Coast Guard standards.

(c) No PFD may exhibit deterioration that could diminish the performance of the PFD, including:

(i) Metal or plastic hardware used to secure the PFD on the wearer that is broken, deformed, or weakened by corrosion;

(ii) Webbing and straps used to secure the PFD on the wearer that are ripped, torn, or which have become separated from the attachment point on the PFD; or

(iii) Any rotted or deteriorated structural component that fails when tugged.

(d) In addition to meeting the requirements of this section, no inherently buoyant PFD, including the inherently buoyant components of a hybrid inflatable PFD, may exhibit:

(i) Rips, tears, or open seams in the fabric or coating that are large enough to allow the loss of buoyant material;

(ii) Buoyant material that has become hardened, nonresilient, permanently compressed, waterlogged, oil-soaked, or which shows evidence of fungus or mildew; or

(iii) Loss of buoyant material or buoyant material that is not held in place.

(e) Except as provided in this section, a properly armed inflation mechanism, complete with a full inflation medium cartridge and all status indicators showing that the inflation mechanism is properly armed, must also have:

(i) Inflatable chambers that are all capable of holding air;

(ii) Oral inflation tubes that are not blocked, detached, or broken;

(iii) A manual inflation lanyard or lever that is not inaccessible, broken, or missing; and

(iv) Inflator status indicators that are not broken or otherwise nonfunctional.

(f) All devices shall be approved by the United States Coast Guard or Underwriters Laboratory and marked in compliance with United States Coast Guard Standards.

(5) Exemptions. Racing shells, rowing sculls and racing kayaks are exempt from the requirements of this section provided they are manually propelled, recognized by a national or international racing association and designed solely for competitive racing.

[Statutory Authority: RCW 79A.05.070, 79A.05.030. WSR 21-20-006, § 352-60-030, filed 9/22/21, effective 10/23/21. Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-030, filed 7/25/94, effective

WAC 352-60-040 Visual distress signals. (1) Application. The requirements for this section apply to coastal waters.

(2) No person shall operate or permit the operation of a vessel unless visual distress signals are carried on board under the following conditions:

(a) For vessels sixteen feet (4.9 meters) or more in length, devices suitable for day use and devices suitable for night use, or devices suitable for both day and night use must be carried on board.

(b) For vessels less than sixteen feet (4.9 meters) in length, visual distress signals for night use must be carried on board when operating between sunset and sunrise.

(3) Visual distress signals accepted. Any of the following signals as specified in Title 46, Code of Federal Regulations, Part 160, when carried in the number required, can be used to meet the requirements of this section:

(a) An electric distress light meeting the standards of Chapter 46, Code of Federal Regulations, Part 161.013. One is required to meet the night only requirement.

(b) An orange flag meeting the standards of Chapter 46, Code of Federal Regulations, Part 160.072. One is required to meet the day only requirement.

(c) Pyrotechnics meeting the standards noted in the table below:

Distress Signal Description	USCG Approval Number	Use	Number Required
Hand-Held Red Flare Signals	160.021	Day and Night	3
Floating Orange Smoke Signals	160.022	Day Only	3
Parachute Red Flare Signals	160.024	Day and Night	3
Hand-Held Rocket Propelled Parachute Red Flare Signals	160.036	Day and Night	3
Hand-Held Orange Smoke Signals	160.037	Day Only	3
Floating Orange Smoke Signals	160.057	Day Only	3
Red Aerial Pyrotechnic Flares	160.066	Day and Night	3

(4) Marking and stowage. Visual distress signals required by this section must be legibly marked with the United States Coast Guard approval number and must be readily accessible.

(5) Condition and expiration date. Visual distress signals required by this section must be in serviceable condition, and if marked with an expiration date, shall not be expired.

(6) Launchers. Any vessel that carries a visual distress signal required by this section where a launcher is necessary to activate the signal, must also have on board a launcher approved by the United States Coast Guard.

(7) Prohibited use. No person in a vessel shall display a visual distress signal on the waters of Washington state under any circumstance except a situation where assistance is needed because of immediate or potential danger to the persons on board.

(8) Exceptions. The following vessels, when operating between sunset and sunrise, must carry visual distress signals that meet the requirements of this section and are suitable for night use:

(a) A vessel competing in any organized marine parade, regatta, race or similar authorized event;

(b) A vessel being manually propelled; or

(c) A sailing vessel of completely open construction, less than twenty-six feet (7.9 meters) in length, and not equipped with propulsion machinery.

(9) Any combination of signal devices selected from the types noted in subsection (3) (a), (b) and (c) of this section, when carried in the number required, may be used to meet both day and night requirements. Examples - the combination of two hand-held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand-held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-040, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-040, filed 5/18/84.]

WAC 352-60-050 Ventilation. (1) No person shall operate or permit to be operated any vessel having on board a gasoline engine used for any purpose, unless it shall be provided with proper ventilation.

(2) Compartments with gasoline engines. Each compartment in a vessel that has a permanently installed gasoline engine with a cranking motor must be open to the atmosphere, or be ventilated by a natural ventilation system and a mechanical exhaust blower system as required by the Federal Boat Safety Act of 1971, as amended, and applicable federal regulations.

(3) Natural ventilation system. A natural ventilation system must be approved for use by the United States Coast Guard and include a supply opening or duct from the atmosphere or from a ventilated compartment or from a compartment that is open to the atmosphere, and an exhaust opening into another ventilated compartment or an exhaust duct to the atmosphere. Each exhaust opening or duct must originate in the lower third of the compartment; and each supply opening or duct and each exhaust opening or duct in a compartment must be above the normal accumulation of bilge water.

(4) Exhaust blowers. Each vessel that is required to have an exhaust blower must have a label that is located as close as practicable to each ignition switch, is in plain view of the operator, and has at least the following information: "WARNING - GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE OPERATE BLOWER FOR FOUR (4) MINUTES AND CHECK ENGINE COMPARTMENT BILGE FOR GASOLINE VAPORS."

(5) In lieu of the ventilation and warning label required in this section, a vessel may be provided with any type of ventilating system as required by the Federal Boat Safety Act of 1971, as amended, and applicable federal regulations.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-050, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-050, filed 5/18/84.]

WAC 352-60-060 Navigation lights and shapes. The requirements of this section are equal to the rules established in Chapter 33, Code of Federal Regulations, Parts 81 and 82.

Application.

(1) The requirements in this section shall be complied with in all weathers. The requirements concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for lights specified by the United States Coast Guard, or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out. Lights and shapes shall meet the requirements for visibility, color, shape, and location as required by Chapter 33, Code of Federal Regulations, Part 81-72, Appendix A, Rules 21, 22, and Annex I, as amended.

(2) The lights herein prescribed shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.

(3) The requirements concerning shapes shall be complied with by day.

(4) (a) Power-driven vessels underway - International waters.

(i) A power-driven vessel underway shall exhibit:

(A) A masthead light forward;

(B) A second masthead light abaft of and higher than the forward one; except that a vessel of less than fifty meters (164.0 feet) in length shall not be obliged to exhibit such light but may do so;

(C) Sidelights; and

(D) A sternlight.

(ii) An air-cushion vessel when operating in the nondisplacement mode shall, in addition to the lights prescribed in (a)(i) of this subsection, exhibit an all-round flashing yellow light where it can best be seen.

(iii) A power-driven vessel of less than twelve meters (39.4 feet) in length may, in lieu of the lights prescribed in (a)(i) of this subsection, exhibit an all-round white light and sidelights.

(A) A power-driven vessel of less than seven meters (23.0 feet) in length whose maximum speed does not exceed seven knots may in lieu of the lights prescribed in (a)(i) of this subsection exhibit an all-round white light and shall, if practicable, also exhibit sidelights;

(B) The masthead light or all-round white light on a power-driven vessel of less than twelve meters (39.4 feet) in length may be displaced from the fore and aft centerline of the vessel if centerline fitting is not practicable, provided that the sidelights are combined in one lantern which shall be carried on the fore and aft centerline of the vessel or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.

(b) Power-driven vessels underway - Inland waters.

(i) A power-driven vessel underway shall exhibit:

(A) A masthead light forward; except that a vessel of less than twenty meters (65.6 feet) in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable;

(B) A second masthead light abaft of and higher than the forward one; except that a vessel of less than fifty meters (164.0 feet) in length shall not be obliged to exhibit such light but may do so;

(C) Sidelights; and

(D) A sternlight.

(ii) An air-cushion vessel when operating in the nondisplacement mode shall, in addition to the lights prescribed in (a)(i) of this subsection, exhibit an all-round flashing yellow light where it can best be seen.

(iii) A power-driven vessel of less than twelve meters (39.4 feet) in length may, in lieu of the lights prescribed in (a)(i) of this subsection, exhibit an all-round white light and sidelights.

(5) Towing and pushing.

(a) International waters.

(i) A power-driven vessel when towing astern shall exhibit:

(A) Instead of the light prescribed either in subsection (4)(a)(i)(A) or (B) of this section, two masthead lights in a vertical line. When the length of the tow, measuring from stern of the towing vessel to the after end of the tow exceeds two hundred meters (656.2 feet), three such lights in a vertical line;

(B) Sidelights;

(C) A sternlight;

(D) A towing light in a vertical line above the sternlight; and

(E) When the length of the tow exceeds two hundred meters (656.2 feet), a diamond shape where it can best be seen.

(ii) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in subsection (4)(a) of this section.

(iii) A power-driven vessel when pushing ahead or towing alongside, except in the case of a composite unit, shall exhibit:

(A) Instead of the light prescribed in subsection (4)(a)(i)(A) or (B) of this section, two masthead lights in a vertical line;

(B) Sidelights,

(C) A sternlight.

(iv) A power-driven vessel to which (a)(i) or (iii) of this subsection apply shall also comply with subsection (4)(a)(i)(B) of this section.

(v) A vessel or object being towed, other than those mentioned in

(a)(vii) of this subsection, shall exhibit:

(A) Sidelights;

(B) A sternlight;

(C) When the length of the tow exceeds two hundred meters (656.2 feet), a diamond shape where it can best be seen.

(vi) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel.

(A) A vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end sidelights;

(B) A vessel being towed alongside shall exhibit a sternlight and at the forward end, sidelights.

(vii) An inconspicuous, partly submerged vessel or object being towed shall exhibit:

(A) If it is less than twenty-five meters (82.0 feet) in breadth, one all-round white light at or near the forward end and one at or near the after end except that dracones need not exhibit a light at or near the forward end;

(B) If it is twenty-five meters (82.0 feet) or more in breadth, two additional all-round white lights at or near the extremities of its breadth;

(C) If it exceeds one hundred meters (328.1 feet) in length, additional all-round white lights between the lights prescribed in (a)(vii)(A) and (B) of this subsection so that the distance between the lights shall not exceed 100 meters (328.1 feet);

(D) A diamond shape at or near the aftermost extremity of the last vessel or object being towed; and if the length of the tow exceeds two hundred meters (656.2 feet) an additional diamond shape

where it can best be seen and located as far forward as is practicable.

(viii) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights or shapes prescribed in (a) (v) or (vii) of this subsection, all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of such vessel or object.

(ix) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights or shapes prescribed by (a) (i) or (iii) of this subsection, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being towed as authorized by WAC 352-60-066(5), in particular by illuminating the towline.

(b) Inland waters.

(i) A power-driven vessel when towing astern shall exhibit:

(A) Instead of the light prescribed either in subsection (4) (b) (i) (A) or (B) of this section, two masthead lights in a vertical line. When the length of the tow, measuring from stern to the towing vessel to the after end of the tow exceeds two hundred meters (656.2 feet), three such lights in a vertical line;

(B) Sidelights;

(C) A sternlight;

(D) A towing light in a vertical line above the sternlight; and

(E) When the length of the tow exceeds two hundred meters (656.2 feet), a diamond shape where it can best be seen.

(ii) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in subsection (4) (b) of this section.

(iii) A power-driven vessel when pushing ahead or towing alongside, except as required by (b) (ii) of this subsection, shall exhibit:

(A) Instead of the light prescribed either in subsection (4) (b) (i) (A) or (B) of this section, two masthead lights in a vertical line;

(B) Sidelights; and

(C) Two towing lights in a vertical line.

(iv) A power-driven vessel to which (b) (i) or (iii) of this subsection apply shall also comply with subsection (4) (b) (i) (A) and (B) of this section.

(v) A vessel or object other than those referred to in (b) (vii) of this subsection being towed shall exhibit:

(A) Sidelights;

(B) A sternlight; and

(C) When the length of the tow exceeds two hundred meters (656.2 feet), a diamond shape where it can best be seen.

(vi) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel:

(A) A vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end sidelights, and a special flashing light; and

(B) A vessel being towed alongside shall exhibit a sternlight and at the forward end sidelights.

(vii) An inconspicuous, partly submerged vessel or object being towed shall exhibit:

(A) If it is less than twenty-five meters (82.0 feet) in breadth, one all-round white light at or near each end;

(B) If it is twenty-five meters (82.0 feet) or more in breadth, four all-round white lights to mark its length and breadth;

(C) If it exceeds one hundred meters (328.1 feet) in length, additional all-round white lights between the lights prescribed in (b)(vii)(A) and (B) of this subsection so that the distance between the lights shall not exceed one hundred meters (328.1 feet): Provided, That any vessels or objects being towed alongside each other shall be lighted as one vessel or object;

(D) A diamond shape at or near the aftermost extremity of the last vessel or object being towed; and

(E) The towing vessel may direct a searchlight in the direction of the tow to indicate its presence to an approaching vessel.

(viii) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights prescribed in (b)(v) or (vii) of this subsection, all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of the unlighted vessel or object.

(ix) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights prescribed by (b)(i) or (iii) of this subsection, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being assisted. The searchlight authorized by WAC 352-60-066(5) may be used to illuminate the tow.

(6) Sailing vessels underway and vessels under oars - International and inland waters.

(a) A sailing vessel underway shall exhibit:

(i) Sidelights; and

(ii) A sternlight.

(b) In a sailing vessel of less than twenty meters (65.6 feet) in length the lights prescribed in (a) of this subsection may be combined in one lantern carried at or near the top of the mast where it can best be seen.

(c) A sailing vessel underway may, in addition to the lights prescribed in (a) of this subsection, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by (b) of this subsection.

(d)(i) A sailing vessel of less than seven meters (23.0 feet) in length shall, if practicable, exhibit the lights prescribed in (a) or (b) of this subsection, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(ii) A vessel under oars may exhibit the lights prescribed in this subsection for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(e) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downward: Provided, That for inland waters only, a vessel of less than twelve meters (39.4 feet) in length is not required to exhibit this shape, but may do so.

(7) Fishing vessels - International and inland waters.

(a) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed in this subsection.

(b) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit:

(i) Two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; a vessel of less than twenty meters (65.6 feet) in length may instead of this shape exhibit a basket;

(ii) A masthead light abaft of and higher than the all-round green light; a vessel of less than fifty meters (164.0 feet) in length shall not be obliged to exhibit such a light but may do so; and

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(c) A vessel engaged in fishing, other than trawling, shall exhibit:

(i) Two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with apexes together in a vertical line one above the other; a vessel of less than twenty meters (65.6 feet) in length may instead of this shape exhibit a basket;

(ii) When there is outlying gear extending more than one hundred fifty meters (492.1 feet) horizontally from the vessel, an all-round white light or a cone apex upward in the direction of the gear; and

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(d) A vessel engaged in fishing in close proximity to other vessels engaged in fishing may exhibit the additional signals as found in Chapter 33, Code of Federal Regulations, Part 81, Annex II and Part 85, Annex II.

(e) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this subsection, but only those prescribed for a vessel of her length.

(8) Vessels not under command or restricted in their ability to maneuver - International and inland waters.

(a) A vessel not under command shall exhibit:

(i) Two all-round red lights in a vertical line where they can best be seen;

(ii) Two balls or similar shapes in a vertical line where they can best be seen; and

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(b) A vessel restricted in her ability to maneuver, except a vessel engaged in mineclearance operations, shall exhibit:

(i) Three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;

(ii) Three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond;

(iii) When making way through the water, a masthead light or lights, sidelights and a sternlight, in addition to the lights prescribed in (b) (i) of this subsection; and

(iv) When at anchor, in addition to the lights or shapes prescribed in (b) (i) and (ii) of this subsection, the light, lights or shapes prescribed in subsection (11) of this section.

(c) A vessel engaged in a towing operation which severely restricts the towing vessel and her tow in their ability to deviate from their course shall exhibit:

(i) For inland waters, in addition to the lights or shapes prescribed in (b) (i) and (ii) of this subsection, exhibit the lights or shape prescribed in WAC 352-60-066 (5) (b);

(ii) For international waters, in addition to the lights or shapes prescribed in subsection (5) (a) (i) of this section, exhibit the lights or shapes prescribed in (b) (i) and (ii) of this subsection.

(d) A vessel engaged in dredging or underwater operations, when restricted in her ability to maneuver, shall exhibit the lights and shapes prescribed in (b) (i), (ii), and (iii) of this subsection and shall in addition, when an obstruction exists, exhibit:

(i) Two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists;

(ii) Two all-round green lights or two diamonds in a vertical line to indicate the side on which another vessel may pass; and

(iii) When at anchor, the lights or shape prescribed by this paragraph, instead of the lights or shapes prescribed in subsection (11) of this section for anchored vessels.

(e) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed in (d) of this subsection, the following shall be exhibited:

(i) Three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;

(ii) A rigid replica of the International Code flag "A" not less than one meter (3.3 feet) in height. Measures shall be taken to insure its all-round visibility.

(f) A vessel engaged in mineclearance operations shall in addition to the lights prescribed for a power-driven vessel in subsection (4) of this section or to the lights or shape prescribed for a vessel at anchor in subsection (11) of this section as appropriate, exhibit three all-round green lights or three balls. One of these lights or shapes shall be exhibited near the foremast head and one at each end of the fore yard. These lights or shapes indicate that it is dangerous for another vessel to approach within one thousand meters (3280.8 feet) of the mineclearance vessel.

(g) A vessel of less than twelve meters (39.4 feet) in length, except when engaged in diving operations, is not required to exhibit the lights or shapes prescribed in this subsection.

(h) The signals prescribed in this subsection are not signals of vessels in distress and requiring assistance. Such signals are contained in Chapter 33, Code of Federal Regulations, Part 87, Annex IV: Distress Signals.

(9) Vessels constrained by their draft - International waters. A vessel constrained by her draft may, in addition to the lights prescribed for power-driven vessels in subsection (4) (a) of this section, exhibit where they can best be seen three all-round red lights in a vertical line, or a cylinder.

(10) Pilot vessels - International and inland waters.

(a) A vessel engaged on pilotage duty shall exhibit:

(i) At or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red;

(ii) When underway, in addition, sidelights and a sternlight; and
(iii) When at anchor, in addition to the lights prescribed in
(a)(i) of this subsection, the anchor light, lights, or shape prescribed in subsection (11) of this section for anchored vessels.

(b) A pilot vessel when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a vessel of her length.

(11) Anchored vessels and vessels aground - International and inland waters.

(a) A vessel at anchor shall exhibit where it can best be seen:

(i) In the fore part, an all-round white light or one ball; and

(ii) At or near the stern and at a lower level than the light prescribed in (a)(i) of this subsection, an all-round white light.

(b) A vessel of less than fifty meters (164.0 feet) in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in (a) of this subsection.

(c) A vessel at anchor may, and a vessel of one hundred meters (328.1 feet) or more in length shall, also use the available working or equivalent lights to illuminate her decks.

(d) A vessel aground shall exhibit the lights prescribed in (a) or (b) of this subsection and in addition, where they can best be seen:

(i) Two all-round red lights in a vertical line; and

(ii) Three balls in a vertical line.

(e) A vessel of less than seven meters (23.0 feet) in length, when at anchor, not in or near a narrow channel, fairway, anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in (a) and (b) of this subsection.

(f) A vessel of less than twelve meters (39.4 feet) in length when aground shall not be required to exhibit the lights or shapes prescribed in (d)(i) and (ii) of this subsection.

(g) For inland waters only, a vessel of less than twenty meters (65.6 feet) in length, when at anchor in a special anchorage area designated by the United States Coast Guard, shall not be required to exhibit the anchor lights and shapes required by this subsection.

(12) Seaplanes - International and inland waters. Where it is impracticable for a seaplane to exhibit lights and shapes of the characteristics or in the positions prescribed in the requirements section she shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

(13) Law enforcement vessels - Inland waters.

(a) Law enforcement vessels may display a flashing blue light when engaged in direct law enforcement or public safety activities. This light must be located so that it does not interfere with the visibility of the vessel's navigation lights.

(b) The blue light described in this subsection may only be displayed by law enforcement vessels of the United States, Washington, and its political subdivisions. The use of blue lights by other vessels is prohibited.

(14) Public safety activities - Inland waters.

(a) Vessels engaged in government sanctioned public safety activities, and commercial vessels performing similar functions, may display an alternately flashing red and yellow light signal. This identification light signal must be located so that it does not interfere with the visibility of the vessel's navigation lights. The identification light signal may be used only as an identification signal and conveys no special privilege. Vessels using the identification light

signal during public safety activities must abide by the rules found in WAC 352-60-060, 352-60-065, 352-60-066, and 352-60-070, and must not presume that the light or the exigency gives them precedence or right of way.

(b) Public safety activities include but are not limited to patrolling marine parades, regattas, or special water celebrations; traffic control; salvage; firefighting; medical assistance; assisting disabled vessels; and search and rescue.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-060, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-060, filed 5/18/84.]

WAC 352-60-065 Sound producing devices. No person shall operate, or permit to be operated, a vessel on the waters of this state without sound producing devices as follows:

(1) A vessel of twelve meters (39.4 feet) or more in length shall be provided with a whistle and a bell and a vessel of one hundred meters (328.1 feet) or more in length shall, in addition, be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with Chapter 33, Code of Federal Regulations, Part 86. The bell or gong, or both, may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.

(2) A vessel of less than twelve meters (39.4 feet) in length shall not be obliged to carry the sound signaling appliances prescribed in subsection (1) of this section, but if she does not, she shall be provided with some other means of making an efficient sound signal.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-065, filed 7/25/94, effective 8/25/94.]

WAC 352-60-066 Sound and light signals. For the purposes of this section, the term "short blast" means a blast of about one second's duration, and the term "prolonged blast" means a blast of from four to six seconds' duration.

(1) Maneuvering and warning signals - International waters.

(a) When vessels are in sight of one another, a power-driven vessel underway, when maneuvering as authorized or required by these requirements, shall indicate that maneuver by the following signals on her whistle:

- One short blast to mean "I am altering my course to starboard";
- Two short blasts to mean "I am altering my course to port";
- Three short blasts to mean "I am operating astern propulsion."

(b) Any vessel may supplement the whistle signals prescribed in (a) of this subsection by light signals, repeated as appropriate, whilst the maneuver is being carried out:

(i) These light signals shall have the following significance:

- One flash to mean "I am altering my course to starboard";
- Two flashes to mean "I am altering my course to port";
- Three flashes to mean "I am operating astern propulsion";

(ii) The duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than ten seconds;

(iii) The light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of five miles, and shall comply with the provisions of Chapter 33, Code of Federal Regulations, Part 81, Appendix A, Annex I.

(c) When in sight of one another in a narrow channel or fairway:

(i) A vessel intending to overtake another shall in compliance with WAC 352-60-070 (6)(e)(i) indicate her intention by the following signals on her whistle:

- Two prolonged blasts followed by one short blast to mean "I intend to overtake you on your starboard side";

- Two prolonged blasts followed by two short blasts to mean "I intend to overtake you on your port side";

(ii) The vessel about to be overtaken when acting in accordance with WAC 352-60-070 (6)(e)(i) shall indicate her agreement by the following signal on her whistle:

- One prolonged, one short, one prolonged and one short blast, in that order.

(d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

(e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. Such signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.

(f) If whistles are fitted on a vessel at a distance apart of more than one hundred meters (328.1 feet), one whistle only shall be used for giving maneuvering and warning signals.

(2) Maneuvering and warning signals - Inland waters.

(a) When power-driven vessels are in sight of one another and meeting or crossing at a distance within one-half mile of each other, each vessel underway, when maneuvering as authorized or required by these requirements:

(i) Shall indicate that maneuver by the following signals on her whistle:

- One short blast to mean "I intend to leave you on my port side";

- Two short blasts to mean "I intend to leave you on my starboard side"; and

- Three short blasts to mean "I am operating astern propulsion."

(ii) Upon hearing the one or two blast signal the other shall, if in agreement, sound the same whistle signal and take the steps necessary to effect a safe passing. If, however, from any cause, the vessel doubts the safety of the proposed maneuver, she shall sound the danger signal specified in (d) of this subsection and each vessel shall take appropriate precautionary action until a safe passing agreement is made.

(b) A vessel may supplement the whistle signals prescribed in (a) of this subsection by light signals:

(i) These signals shall have the following significance:

- One flash to mean "I intend to leave you on my port side";
- Two flashes to mean "I intend to leave you on my starboard side";
- Three flashes to mean "I am operating astern propulsion";
- (ii) The duration of each flash shall be about one second; and
- (iii) The light used for this signal shall, if fitted, be one all-around white or yellow light, visible at a minimum range of two miles (3219.1 meters), synchronized with the whistle, and shall comply with the provisions of Chapter 33, Code of Federal Regulations, Part 84, Annex I.
- (c) When in sight of one another:
 - (i) A power-driven vessel intending to overtake another power-driven vessel shall indicate her intention by the following signals on her whistle:
 - One short blast to mean "I intend to overtake you on your starboard side";
 - Two short blasts to mean "I intend to overtake you on your port side"; and
 - (ii) The power-driven vessel about to be overtaken shall, if in agreement, sound a similar sound signal. If in doubt she shall sound the danger signal prescribed in (d) of this subsection.
 - (d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. This signal may be supplemented by a light signal of at least five short and rapid flashes.
 - (e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. This signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.
 - (f) If whistles are fitted on a vessel at a distance apart of more than one hundred meters (328.1 feet), one whistle only shall be used for giving maneuvering and warning signals.
 - (g) When a power-driven vessel is leaving a dock or berth, she shall sound one prolonged blast.
 - (h) A vessel that reaches agreement with another vessel in a meeting, crossing, or overtaking situation by using the radiotelephone as prescribed by the Federal Bridge-to-Bridge Radiotelephone Act (85 Stat. 165; 33 U.S.C. 1207), is not obliged to sound the whistle signals prescribed by this subsection, but may do so. If agreement is not reached, then whistle signals shall be exchanged in a timely manner and shall prevail.
- (3) Sound signals in restricted visibility - International waters. In or near an area of restricted visibility, whether by day or night, the signals prescribed in this subsection shall be used as follows:
 - (a) A power-driven vessel making way through the water shall sound at intervals of not more than two minutes, one prolonged blast.
 - (b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than two minutes, two prolonged blasts in succession with an interval of about two seconds between them.
 - (c) A vessel not under command, a vessel restricted in her ability to maneuver, a sailing vessel, a vessel engaged in fishing and a

vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in (a) or (b) of this subsection, sound at intervals of not more than two minutes, three blasts in succession, namely one prolonged followed by two short blasts.

(d) A vessel engaged in fishing, when at anchor, and a vessel restricted in her ability to maneuver when carrying out her work at anchor, shall instead of the signals prescribed in (g) of this subsection sound the signal prescribed in (c) of this subsection.

(e) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than two minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(f) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in (a) or (b) of this subsection.

(g) A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about five seconds. In a vessel of one hundred meters (328.1 feet) or more in length the bell shall be sounded in the forepart of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about five seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one prolonged and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(h) A vessel aground shall give the bell signal and if required the gong signal prescribed in (g) of this subsection and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal.

(i) A vessel of less than twelve meters (39.4 feet) in length shall not be obliged to give the above-mentioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than two minutes.

(j) A pilot vessel when engaged on pilotage duty may in addition to the signals prescribed in (a), (b), or (g) of this subsection sound an identity signal consisting of four short blasts.

(4) Sound signals in restricted visibility - Inland waters. In or near an area of restricted visibility, whether by day or night, the signals prescribed in this subsection shall be used as follows:

(a) A power-driven vessel making way through the water shall sound at intervals of not more than two minutes, one prolonged blast.

(b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than two minutes, two prolonged blasts in succession with an interval of about two seconds between them.

(c) A vessel not under command, a vessel restricted in her ability to maneuver, whether under way or at anchor; a sailing vessel; a vessel engaged in fishing, whether underway or at anchor; and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in (a) or (b) of this subsection, sound at intervals of not more than two minutes, three blasts in succession, namely, one prolonged followed by two short blasts.

(d) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than two minutes sound four blasts in succession; namely, one prolonged fol-

lowed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(e) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in (a) or (b) of this subsection.

(f) A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about five seconds. In a vessel of one hundred meters (328.1 feet) or more in length the bell shall be sounded in the forepart of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about five seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession; namely, one short, one prolonged and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(g) A vessel aground shall give the bell signal and if required the gong signal prescribed in (f) of this subsection and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal.

(h) A vessel of less than twelve meters (39.4 feet) in length shall not be obliged to give the above-mentioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than two minutes.

(i) A pilot vessel when engaged on pilotage duty may in addition to the signals prescribed in (a), (b), or (f) of this subsection sound an identity signal consisting of four short blasts.

(j) The following vessels shall not be required to sound signals as prescribed in (f) of this subsection when anchored in a special anchorage area designated by the United States Coast Guard:

(i) A vessel of less than twenty meters (65.6 feet) in length; and

(ii) A barge, canal boat, scow or other nondescript craft.

(5) Signals to attract attention - International and inland waters.

(a) If necessary to attract the attention of another vessel, any vessel may make light or sound signals that cannot be mistaken for any signal authorized elsewhere in these requirements, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel.

(b) For international waters only, any light to attract the attention of another vessel shall be such that it cannot be mistaken for any aid to navigation. For the purpose of this subsection the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-066, filed 7/25/94, effective 8/25/94.]

WAC 352-60-070 Steering and sailing. The requirements in this section meet the rules established in Chapter 33, Code of Federal Regulations, Parts 81 and 82, and shall be construed to supplement federal laws and regulations. Federal laws and regulations shall control if any requirement is inconsistent with federal laws and regulations.

(1) Application - International and inland waters. The requirements in this section shall apply in any conditions of visibility.

(2) Look-out - International and inland waters. Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

(3) Safe speed - International and inland waters. Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions. In determining a safe speed the following factors shall be among those taken into account by:

(a) All vessels:

(i) The state of visibility;

(ii) The traffic density including concentrations of fishing vessels or any other vessels;

(iii) The maneuverability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;

(iv) At night the presence of background light such as from shore lights or from back scatter of her own lights;

(v) The state of wind, sea, and current, and the proximity of navigational hazards;

(vi) The draft in relation to the available depth of water;

(b) Additionally, by vessels with operational radar:

(i) The characteristics, efficiency and limitations of the radar equipment;

(ii) Any constraints imposed by the radar range scale in use;

(iii) The effect on radar detection of the sea state, weather, and other sources of interference;

(iv) The possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;

(v) The number, location, and movement of vessels detected by radar; and

(vi) The more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

(4) Risk of collision - International and inland waters. Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.

(a) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.

(b) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

(c) In determining if risk of collision exists the following considerations shall be among those taken into account:

(i) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change; and

(ii) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow, or when approaching a vessel at close range.

(5) Action to avoid collision - International and inland waters.

(a) Any action to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.

(b) Any alteration of course or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.

(c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.

(d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

(e) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken her speed or take all way off by stopping or reversing her means of propulsion.

(f)(i) A vessel which, by any of these requirements, is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.

(ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the requirements of this part.

(iii) A vessel, the passage of which is not to be impeded remains fully obliged to comply with the requirements of this part when the two vessels are approaching one another so as to involve risk of collision.

(6) Narrow channels - International waters.

(a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.

(b) A vessel of less than twenty meters (65.6 feet) in length or a sailing vessel shall not impede the passage of a vessel that can safely navigate only within a narrow channel or fairway.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway. The latter vessel shall use the danger signal prescribed in WAC 352-60-066 (1)(d) if in doubt as to the intention of the crossing vessel.

(e) In a narrow channel or fairway:

(i) When overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in WAC 352-60-066 (1)(c)(i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in WAC 352-60-066 (1)(c)(ii) and take steps to permit safe passing. If in doubt she shall sound the signals prescribed in WAC 352-60-066 (1)(d).

(ii) This subsection does not relieve the overtaking vessel of her obligation under subsection (11) of this section.

(f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in WAC 352-60-066 (1)(e).

(g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

(7) Narrow channels - Inland waters.

(a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.

(b) A vessel of less than twenty meters (65.6 feet) in length or a sailing vessel shall not impede the passage of a vessel that can safely navigate only within a narrow channel or fairway.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway. The latter vessel shall use the danger signal prescribed in WAC 352-60-066 (2)(d) if in doubt as to the intention of the crossing vessel.

(e) In a narrow channel or fairway:

(i) When overtaking, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in WAC 352-60-066 (2)(c) and take steps to permit safe passing. The overtaken vessel, if in agreement, shall sound the same signal. If in doubt she shall sound the danger signal prescribed in WAC 352-60-066 (2)(d).

(ii) This requirement does not relieve the overtaking vessel of her obligation under subsection (11) of this section.

(f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in WAC 352-60-066 (2)(e).

(g) Every vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

(8) Vessel traffic separation schemes - International and inland waters.

(a) This subsection applies to traffic separation schemes and does not relieve any vessel of her obligation under any other requirement.

(b) A vessel using a traffic separation scheme shall:

(i) Proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;

(ii) So far as practicable keep clear of a traffic separation line or separation zone;

(iii) Normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) A vessel shall, so far as practicable, avoid crossing traffic lanes but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

(d)(i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than twenty meters (65.6 feet) in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.

(ii) Notwithstanding (d)(i) of this subsection, a vessel may use an inshore traffic zone when *en route* to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.

(e) A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

(i) In cases of emergency to avoid immediate danger;

(ii) To engage in fishing within a separation zone.

(f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(j) A vessel of less than twenty meters (65.6 feet) in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

(k) A vessel restricted in her ability to maneuver when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this subsection to the extent necessary to carry out the operation.

(l) A vessel restricted in her ability to maneuver when engaged in an operation for the laying, servicing or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this subsection to the extent necessary to carry out the operation.

(9) Conduct of vessels in sight of one another - International waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Sailing vessels - When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;

(iii) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(b) For the purposes of this subsection the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

(10) Conduct of vessels in sight of one another - Inland waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Sailing vessels - When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward; and

(iii) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(b) For the purpose of this subsection the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

(11) Overtaking situation - International and inland waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Notwithstanding anything contained in this section, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(b) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.

(c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.

(d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these requirements or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(12) Head-on situation - International waters. The requirements in this subsection apply to vessels in sight of one another.

(a) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.

(b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the mast-head lights of the other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel.

(c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

(13) Head-on situation - Inland waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Unless otherwise agreed, when two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.

(b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the mast-head lights of the other in a line or nearly in a line or both sidelights and by day she observes the corresponding aspect of the other vessel.

(c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

(14) Crossing situation - International waters. The requirements in this subsection apply to vessels in sight of one another. When two power-driven vessels are crossing so as to involve risk of collision,

the vessel which has the other on her starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

(15) Crossing situation - Inland waters. The requirements in this subsection apply to vessels in sight of one another.

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

(16) Action by give-way vessel - International waters. The requirements in this subsection apply to vessels in sight of one another. Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

(17) Action by give-way vessel - Inland waters. The requirements in this subsection apply to vessels in sight of one another. Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

(18) Action by stand-on vessel - International waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Where one of two vessels is to keep out of the way, the other shall keep her course and speed. The latter vessel may, however, take action to avoid collision by her maneuver alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these requirements.

(b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

(c) A power-driven vessel which takes action in a crossing situation in accordance with (a) of this subsection to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(d) This subsection does not relieve the give-way vessel of her obligation to keep out of the way.

(19) Action by stand-on vessel - Inland waters. The requirements in this subsection apply to vessels in sight of one another.

(a) Where one of two vessels is to keep out of the way, the other shall keep her course and speed. The latter vessel may, however, take action to avoid collision by her maneuver alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these requirements.

(b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

(c) A power-driven vessel which takes action in a crossing situation in accordance with (a) of this subsection to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(d) This subsection does not relieve the give-way vessel of her obligation to keep out of the way.

(20) Responsibilities between vessels - International waters. The requirements in this subsection apply to vessels in sight of one an-

other. Except where subsections (6), (8), and (11) of this section otherwise require:

(a) A power-driven vessel underway shall keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver;
- (iii) A vessel engaged in fishing;
- (iv) A sailing vessel.

(b) A sailing vessel underway shall keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver;
- (iii) A vessel engaged in fishing.

(c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver.

(d) Any vessel other than a vessel not under command or a vessel restricted in her ability to maneuver shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draft, exhibiting the signals in WAC 352-60-060(9). A vessel constrained by her draft shall navigate with particular caution having full regard to her special condition.

(e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the requirements of this section.

(21) Responsibilities between vessels - Inland waters. The requirements in this subsection apply to vessels in sight of one another. Except where subsections (7), (8), and (11) of this section otherwise require:

(a) A power-driven vessel underway shall keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver;
- (iii) A vessel engaged in fishing;
- (iv) A sailing vessel.

(b) A sailing vessel underway shall keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver;
- (iii) A vessel engaged in fishing.

(c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:

- (i) A vessel not under command;
- (ii) A vessel restricted in her ability to maneuver.

(d) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the requirements of this section.

(22) Conduct of vessels in restricted visibility - International waters.

(a) This subsection applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate maneuver.

(c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with subsections (1) through (8) of this section.

(d) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration of course, so far as possible the following shall be avoided:

(i) An alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;

(ii) An alteration of course towards a vessel abeam or abaft the beam.

(e) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

(23) Conduct of vessels in restricted visibility - Inland waters.

(a) This subsection applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate maneuver.

(c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with subsections (1) through (8) of this section.

(d) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration of course, so far as possible the following shall be avoided:

(i) An alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;

(ii) An alteration of course towards a vessel abeam or abaft the beam.

(e) Except where it has been determined that a risk of collision does not exist, every vessel which hears, apparently forward of her beam, the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-070, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-070, filed 5/18/84.]

WAC 352-60-080 Fire extinguisher required. (1) Every vessel with a motor, except vessels with an outboard motor, less than twenty-six feet (7.9 meters) in length and of open construction, shall carry on board, fully charged and in serviceable condition the following hand portable United States Coast Guard, for vessels manufactured prior to August 22, 2016, or Underwriters Laboratory for vessels manufactured after August 22, 2016, approved fire extinguishers:

(a) Motorboats with no fixed fire extinguishing system in the machinery space and which are:

(i) Less than twenty-six feet (7.9 meters) in length - One extinguisher;

(ii) Twenty-six feet (7.9 meters) but less than forty feet (12 meters) in length - Two extinguishers;

(iii) Forty feet (12 meters) or longer in length - Three extinguishers.

(b) Motorboats with a fixed extinguishing system in the machinery space and which are:

(i) Less than twenty-six feet (7.9 meters) - No hand portable extinguisher required;

(ii) Twenty-six feet (7.9 meters) or longer in length, but less than forty feet (12 meters) in length - One extinguisher;

(iii) Forty feet (12 meters) or longer in length - Two extinguishers.

(2) The fire extinguishers required by this section are Class B-I for vessels manufactured prior to August 22, 2016, or are 5-B for vessels manufactured after August 22, 2016, as described in Title 46, Code of Federal Regulations, Part 34 and Title 46, Code of Federal Regulations, Part 25, 30-20, however, one Class B-II described in that regulation may be substituted for two Class B-I extinguishers. One UL 20-B may be substituted for two 5-B extinguishers.

[Statutory Authority: RCW 79A.05.070, 79A.05.030. WSR 21-20-006, § 352-60-080, filed 9/22/21, effective 10/23/21. Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-080, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-080, filed 5/18/84.]

WAC 352-60-090 Backfire flame control. No person shall operate or permit the operation of a vessel powered by a gasoline engine unless it meets the following requirements:

(1) All gasoline engines, except outboard motors, must be equipped with an acceptable means of backfire flame control. Installations consisting of backfire flame arresters approved by the United States Coast Guard under 46 Code of Federal Regulations Parts 25 and 58 are acceptable.

(2) A United States Coast Guard approved flame arrester bearing basic Approval Numbers 162.015 or 162.041 or engine air and fuel induction systems bearing basic Approval Numbers 162.015 or 162.042 may be continued in use as long as they are serviceable and in good condition. New installations or replacements must meet the applicable requirements of subsection (3) of this section.

(3) The following are acceptable means of backfire flame control for gasoline engines:

(a) A backfire flame arrester complying with SAE J-1928 or UL 1111, and marked accordingly. The flame arrester must be suitably secured to the air intake with a flamtight connection.

(b) An engine air and fuel induction system which provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an acceptable backfire flame arrester. A gasoline engine utilizing an air and fuel induction system, and operated without an approved backfire flame arrester, must either in-

clude a reed valve assembly or be installed in accordance with SAE J-1928.

(c) An arrangement of the carburetor or engine air induction system that will disperse any flames caused by the engine backfire. The flames must be dispersed to the atmosphere outside the vessel in such a manner that the flames will not endanger the vessel, persons on board, or nearby vessels and structures. Flame dispersion may be achieved by attachments to the carburetor or location of the engine air induction system. All attachments shall be of metallic construction with flamtight connections and firmly secured to withstand vibration, shock, and engine backfire. Such installations do not require formal approval and labeling, but must comply with this requirement.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-090, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-090, filed 5/18/84.]

WAC 352-60-100 Liquefied petroleum gas. When a vessel is used to carry persons for hire on the waters of Washington state the use on such vessel of any liquefied petroleum gas or certain flammable liquids for cooking, heating, or lighting is prohibited as required by Title 46, Code of Federal Regulations, Subpart 25.45 and Parts 146 and 147.

[Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-100, filed 5/18/84.]

WAC 352-60-110 Canadian vessels. When used on the waters of Washington state for a period of less than sixty days all Canadian vessels which comply with the boating safety laws of the government of Canada shall be exempt from the provisions of chapter 352-60 WAC except for WAC 352-60-070.

[Statutory Authority: RCW 43.51.400. WSR 84-11-057 (Order 79), § 352-60-110, filed 5/18/84.]

WAC 352-60-120 Water ski observer. Qualifications. These rules are to establish minimum requirements for the observer required when water skiing on the waters of the state.

(1) The observer shall be physically capable and mentally competent of performing the following requirements:

(a) Continuously observe the skier or skiers;

(b) Inform the operator of the vessel towing the skier or skiers when they are no longer being towed;

(c) Raise the skier down flag as required when a person is in the water preparing to ski or returning to the ski vessel.

(2) Nothing in this section shall preempt local government from exercising any power that it possesses under the laws or Constitution of the state of Washington to adopt more stringent regulations on the qualifications for water ski observer.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-120, filed 7/25/94, effective 8/25/94.]

WAC 352-60-130 Whitewater river guides. Lifesaving qualifications.

(1) Any person who is charged with the responsibility to perform or act as a whitewater river guide for a commercial whitewater company that takes passengers for hire onto the waters of the state is required to have a valid first-aid card from a course that is approved by the Washington department of labor and industries or the department of health, qualifying that person to perform first aid and cardiopulmonary resuscitation (CPR).

(2) The outline of the first-aid course will include cardiopulmonary resuscitation (CPR) instruction consistent with the most current guidelines of the most recent supplement to the *Journal of the American Medical Association* (JAMA). The course outline will include instruction criteria consistent with current Washington state medical protocols.

[Statutory Authority: RCW 43.51.400, 88.12.065, 88.12.125, 88.12.245 and chapter 33, C.F.R. Part 175.15. WSR 94-16-027, § 352-60-130, filed 7/25/94, effective 8/25/94.]

WAC 352-60-140 Designation of whitewater rivers and river sections. Whitewater river outfitters must comply with the provisions found in RCW 88.12.245 through 88.12.275 when operating on whitewater rivers or sections of rivers of the state as set forth in this section.

(1) As provided by RCW 88.12.265, whitewater rivers of the state include the following rivers and sections of rivers:

- (a) Green River above Flaming Geyser state park;
- (b) Klickitat River above the confluence with Summit Creek;
- (c) Methow River below the town of Carlton;
- (d) Sauk River above the town of Darrington;
- (e) Skagit River above Bacon Creek;
- (f) Suiattle River;
- (g) Tieton River below Rimrock Dam;

(h) Skykomish River below Sunset Falls and above the Highway 2 bridge one mile east of the town of Gold Bar;

(i) Wenatchee River above the Wenatchee County park at the town of Monitor;

(j) White Salmon River.

(2) Additionally, the commission designates the following sections of rivers as having at least one class III rapid or greater, as described in the *Safety Code* of the American Whitewater Affiliation. River sections designated in this section are based on information published in the American Whitewater Affiliation's *Nationwide Whitewater Inventory*, 1990 edition:

WASHINGTON RIVER SECTIONS—CLASS III OR GREATER

River	Section(s)	Miles	Class	County
American	Hells Crossing (Victory Hall Creek)	4.5	IV	Yakima

River	Section(s)	Miles	Class	County
Baker	North Cascades National Park to Baker Lake	2.7	IV	Whatcom
Beckler	Rapid River to mouth	7.7	III	King/Snohomish
Boulder	Boulder Falls to mouth	5.0	III	Snohomish
Canyon Creek	10 mi. upstream of mouth to mouth	10.0	V	Snohomish
Carbon	Fairfax Bridge to 0.5 mi. below Lily Creek	4.0	V	Pierce
Cascade	Marble Creek Campground to bridge above mouth	8.1	V	Skagit
Chehalis	Bridge at Fisk Falls to Pe Ell	12.6	III	Lewis
Chiwawa	Huckleberry Campground to Wenatchee River	11.0	III	Chelan
Cispus	F.R. 23 Bridge/Doe Creek to F.R. 28 Bridge	11.9	IV	Lewis
Cispus	F.R. 28 Bridge to Cowlitz River	17.2	III	Lewis
Cle Elum	Big Boulder Creek to Salmon la Sac Creek	6.9	IV-V	Kittitas
Clearwater	Bridge to Confluence with White River	4.0	III	Pierce
Deer Creek	Bridge at Rick Creek to mouth	11.0	IV	Snohomish/Skagit
Dosewallips	Elkhorn Campground to Six Mile Bridge	5.0	III	Jefferson
Duckabush	Wilderness area boundary to mouth	7.2	IV	Jefferson
Dungeness	Dungeness Forks Camp hatchery	5.1	IV	Clallam
Entiat	Entiat Falls to Brief	9.0	III	Chelan
Finney Creek	Finney Creek Rd. Bridge to bridge at mouth	16.5	IV	Skagit
Foss	Bridge 3.2 mi. upstream of mouth to mouth	3.2	IV	King
Grande Ronde	Troy (OR) to Snake River at Heller Bar	39.0	II-III	Asotin
Graywolf	Wilderness area to lower Graywolf River trailhead	15.0	IV	Clallam/Jefferson
Hamma Hamma	7.5 mi. above guard station to mouth/Hood Canal	14.4	I-III	Mason
Hangman/Latah Creek	3 mi. below Rattler Run Creek to California Creek	10.0	IV	Spokane/Whitman
Humtulpis/E. Fork	Flatbottom Creek to Boise Bridge	16.7	III	Grays Harbor
Icicle Creek	Josephine Lake to Wenatchee River	18.0	IV-VI	Chelan
Kalama	Elk Creek to Indian Creek	19.0	III	Cowlitz
Lewis	Lower Falls to Rush Creek	3.3	IV	Skamania
Lewis	Rush Creek to bridge above Swift Reservoir	7.4	III	Skamania
Lost	Pasayaten Wilderness Area to mouth	5.6	II-V	Okanogan
Mashel	Eatonville to bridge above mouth	4.6	IV	Pierce
Miller	Confluence of E. and W. Forks to S. Fork Skykomish	3.7	IV	Snohomish
Nisqually	McKenna to Tank crossing 1 mi. above Muck Creek	7.0	III	Thurston
Nooksack N. Fork	Nooksack Falls to Douglas Fir Campground	4.9	III	Whatcom
Nooksack N. Fork	Mt. Baker Wilderness to Nooksack Falls	12.3	IV	Whatcom
Nooksack N. Fork	Douglas Fir Forest Campground to Mt. Baker Highway			
	Mile Post 27	9.6	II-III	Whatcom
Peshastin Creek	Confluence Trosen Creek to Wenatchee	13.5	III-V	Chelan

River	Section(s)	Miles	Class	County
Pilchuck Creek	Lake Creek to above falls	5.1	IV	Snohomish
Pilchuck Creek	Falls to Highway 9	4.7	IV	Snohomish
Raging	I-90 to mouth	4.0	III-IV	King
Rapid	Road end to mouth	5.0	IV	Snohomish
Ruby and Granite Creek	Confluence with Beebe Creek to Ross Lake	5.4	IV	Whatcom/Skagit
Satsop/Middle Fork	Kelly Hall Rd. to Turnow Rd.	16.0	III	Grays Harbor
Sitkum	Bridge 0.2 mi. below Rainbow Creek to mouth	2.5	III	Clallam
Skykomish N.	Bear Creek to mouth	12.7	IV	Snohomish
Skykomish S.	Commonwealth Creek to 0.5 mi. below Boxley Creek	4.0	II-III	Snohomish
Snoqualmie/Middle Fork	2.5 mi. below Pratt River to Sallal Prairie	8.5	IV	King
Snoqualmie/Middle Fork	Cripple Creek to Taylor River	4.5	IV	King
Spokane	People Parks to Seven Mile Rd.	10.8	III	Spokane
Stillaguamish N.	Confluence/S. Branch to bridge below Moose Creek	8.0	V	Snohomish
Stillaguamish S.	Mallardy Creek to Verlot	9.0	III	Snohomish
Stillaguamish S.	Verlot to Granite Falls	12.3	V	Snohomish
Sultan	1 mi. below Culmback Dam to mouth	15.5	IV	Snohomish
Taylor	Bridge to mouth	1.0	III	King
Tolt S. Fork	Bridge to Confluence/N. Fork Tolt	5.9	V	King
Toutle	State Route 504 Bridge to Tower Rd. Bridge/Cline Creek	9.5	III	Cowlitz
Twisp	Confluence N. Fork and S. Fork to mouth	28.2	III	Okanogan
Tye	Carroll Creek to Confluence/Foss River and Beckler River	3.0	IV	King
White	Bridge 1.5 mi. above W. Fork to Old Pond Creek	22.1	III	Pierce
White Chuck	Glacier Peak Wilderness Boundary to mouth 6 mi. below bridge	10.9	IV	Snohomish
Wind	Ranger Station near Stabler to High Bridge	7.5	V	Skamania
Wynoochee	End of road 0.5 mi. above Falls Creek to Geisler Creek	48.3	II-III	Grays Harbor

[Statutory Authority: RCW 88.12.279 and 43.51.400. WSR 98-07-022, § 352-60-140, filed 3/10/98, effective 4/10/98.]