

WAC 363-116-420 Summary/temporary license suspension. Summary/temporary suspension of a pilot's license may be made by the chairperson or vice chairperson of the board of pilotage commissioners when:

(1) A pilot has been involved in any vessel accident where there has been major property damage, loss of life, or loss of a vessel; or

(2) Where there is a reasonable cause to believe that a pilot has diminished capacity or is under the influence of drugs, alcohol, or other substances; and

(3) Such an accident or physical or mental impairment would significantly diminish that pilot's ability to carry out pilotage duties and that the public health, safety, and welfare requires such emergency action. Notification of this suspension shall be made directly to the pilot and the appropriate pilot's association.

Within seventy-two hours an emergency board meeting will be held to determine whether to continue such suspension. In the event the suspension is continued pending proceedings for revocation or other action, an order shall be immediately prepared and notice shall be personally served upon the pilot advising of the board's action.

These further proceedings shall be promptly instituted in the office of administrative hearings.

All final decisions of the administrative law judge shall be subject to review by the superior court of the state of Washington for Thurston County or by the superior court of the county in which the pilot maintains his/her residence or principal place of business, to which court any case with all the papers and proceedings therein shall be immediately certified by the administrative law judge if requested to do so by any party to the proceedings at any time within thirty days after the date of such final decision. No appeal may be taken after the expiration of thirty days after the date of final decision.

[Statutory Authority: Chapter 88.16 RCW and 2008 c 128. WSR 08-15-119, § 363-116-420, filed 7/21/08, effective 8/21/08. WSR 97-08-042, re codified as § 363-116-420, filed 3/28/97, effective 3/28/97. Statutory Authority: RCW 88.16.100. WSR 88-10-040 (Order 88-12, Resolution No. 88-12), § 296-116-420, filed 5/3/88.]