

HOUSE BILL REPORT

HB 1984

As Amended by the Senate

Title: An act relating to pilotage.

Brief Description: Revising pilotage law.

Sponsors: Representatives R. Fisher, Schmidt, Zellinsky,
R. Meyers, Orr and Van Luven.

Brief History:

Reported by House Committee on:
Transportation, March 4, 1993, DP;
Passed House, March 13, 1993, 97-0;
Amended by Senate.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members:
Representatives R. Fisher, Chair; Brown, Vice Chair; Jones,
Vice Chair; Schmidt, Ranking Minority Member; Mielke,
Assistant Ranking Minority Member; Brough; Brumsickle;
Cothorn; Eide; Finkbeiner; Forner; Fuhrman; Hansen; Heavey;
Horn; Johanson; J. Kohl; R. Meyers; Miller; H. Myers; Orr;
Patterson; Quall; Sheldon; Shin; Wood; and Zellinsky.

Staff: Jennifer Joly (786-7305).

Background: Pilots are responsible for the navigation of
U.S. and foreign flag vessels in Puget Sound, Grays Harbor
and Willapa Bay.

The membership of the Board of Pilotage Commissioners (BPC)
consists of the assistant secretary of Marine Transportation
of the Washington State Department of Transportation or the
secretary's designee, the administrator of the Office of
Marine Safety, and seven members appointed by the governor.

The BPC is responsible for adopting rules, licensing pilots,
maintaining a register of pilots, fixing annual pilotage
tariffs, filing an annual report with the governor and the
transportation committees of the House and Senate,
publishing a manual of regulations affecting pilotage,
appointing advisory committees as needed, and providing
pilotage service.

In order to pilot a vessel in Puget Sound, Grays Harbor or Willapa Bay, one must hold a pilot's license. Pilot licenses are valid for five years. An annual license fee, not to exceed \$1,500, is established by the BPC. Funding is required for legal, audit and accounting costs; costs associated with the preparation and grading of pilot examinations; and the salary and travel costs of the board.

One of the requirements for procuring a pilot's license is completion of a series of familiarization trips in the pilotage district in which one wishes to be licensed.

RCW 88.16.110 prescribes that every licensed pilot file a quarterly report with the Board of Pilotage Commissioners. The report must contain an account of all monies received for pilotage (a substantial portion of which is based on the vessel's gross tonnage); the name of the vessel piloted; the amount charged to and/or collected from each vessel; the port of registry of each vessel; the dead weight tonnage of each vessel; whether the vessel was inward or outward bound; whether the amount received, collected or charged is in full payment of pilotage; and other such information as the board shall by regulation prescribe. The report must also contain information regarding vessel groundings, collisions or other major marine casualties occurring while a pilot is on duty.

By custom, the country flag which the vessel flies is used to denote a vessel's registry. Thus, the term "port of registry," as prescribed in RCW 88.16.110, inaccurately reflects usage in the pilotage community. That is, a vessel does not register by port.

"Dead weight" refers to a vessel's cargo carrying capacity, whereas "gross tonnage" refers to the space available on board a vessel. Historically, pilots have used gross tonnage in their reports, but RCW 88.16.110 prescribes dead weight. By altering the statute to accommodate the current practices of the pilots, the historic log may be retained.

The Army Corps of Engineers no longer maintains a bar or river channel suitable for deep draft vessels in Willapa Harbor.

Summary of Bill: If a designee of the assistant secretary of Marine Transportation of the Washington State Department of Transportation is made a commissioner on the Board of Pilotage Commissioners (BPC), he or she will report directly to the assistant secretary of Marine Transportation. The secretary or the secretary's designee shall be the chairperson of the board.

The BPC shall be responsible for reviewing and taking appropriate action on all budgetary items relating to the operation of the board and forwarding a record of its actions and recommendations to the assistant secretary of Marine Transportation.

The "Grays Harbor pilotage district" no longer includes the inland waters, channels, waterways and navigable tributaries within Willapa Harbor.

Duplicative language codified in error is stricken from RCW 88.16.090 (2).

The annual license fee established by the Board of Pilotage Commissioners shall not exceed \$2,000.

The board shall prescribe between a minimum of 25 and a maximum of 100 training trips conducted under the supervision of an experienced pilot. The number of training trips required depends upon the candidate's vessel handling experience.

Pilots are required to file a quarterly report on the 15th day of January, April, July and October. The quarterly report must contain the piloted vessel's gross tonnage and list the vessel's country of registry, rather than the port of registry.

EFFECT OF SENATE AMENDMENT(S): The Office of Marine Safety administrator, or the administrator's designee, and the environmental representative are non-voting members of the Board of Pilotage Commissioners.

Successful performance in, and completion of, a training program shall be a condition of obtaining the pilot's license.

This act shall take effect immediately.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill attends to some minor statutory housekeeping issues raised by the Puget Sound Pilots and the Board of Pilotage Commissioners (BPC). The BPC supports increasing the cap on annual pilot license fees from \$1,500 to \$2,000. The additional funding is required to meet legal, audit and accounting costs; costs associated with the preparation and grading of pilot examinations; and the

salary and travel expenses of the Board of Pilotage Commissioners.

Testimony Against: None.

Witnesses: Ron Wagner, Puget Sound Pilots; Tom Heinan, Board of Pilotage Commissioners; and Randy Ray, Puget Sound Steamship Operators Association.

VOTE ON FINAL PASSAGE:

Yeas 97; Excused 1

Excused: Representative Leonard