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SENATE BILL 5207

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State of Washington                      59th Legislature                      2005 Regular Session

By Senators Doumit, Hargrove and Sheldon

Read first time 01/18/2005. Referred to Committee on Transportation.

1            AN ACT Relating to liability limitations for providing pilotage  
2 services; and amending RCW 88.16.115 and 88.16.118.

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

4            **Sec. 1.** RCW 88.16.115 and 1981 c 196 s 1 are each amended to read  
5 as follows:

6            The preservation of human life and property associated with  
7 maritime commerce on the pilotage waters of this state is declared to  
8 be in the public interest, and the limitation and regulation of the  
9 liability of pilots licensed by the state of Washington, and of any  
10 port district authorized by RCW 53.08.390 to provide pilotage services,  
11 is necessary to such preservation and is deemed to be in the public  
12 interest.

13            **Sec. 2.** RCW 88.16.118 and 1984 c 69 s 1 are each amended to read  
14 as follows:

15            A ship's pilot licensed to act as such by the state of Washington,  
16 and any port district authorized by RCW 53.08.390 to provide pilotage  
17 services, shall not be liable for damages in excess of the amount of  
18 five thousand dollars for damages or loss occasioned by ((the)) a

1 pilot's errors, omissions, fault, or neglect in the performance of  
2 pilotage services, except as may arise by reason of the willful  
3 misconduct or gross negligence of (~~the~~) a pilot.

4 When a pilot boards a vessel, that pilot becomes a servant of the  
5 vessel and its owner and operator. Nothing in this section exempts the  
6 vessel, its owner or operator from liability for damage or loss  
7 occasioned by that ship to a person or property on the ground that (1)  
8 the ship was piloted by a Washington state licensed pilot, or (2) the  
9 damage or loss was occasioned by the error, omission, fault, or neglect  
10 of a Washington state licensed pilot.

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