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**SUBSTITUTE SENATE BILL 6095**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Haugen and Swecker)

READ FIRST TIME 03/02/09.

1       AN ACT Relating to the Puget Sound pilotage district tariff; and  
2 amending RCW 88.16.035.

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

4       **Sec. 1.** RCW 88.16.035 and 2008 c 128 s 2 are each amended to read  
5 as follows:

6       (1) The board of pilotage commissioners shall:

7       (a) Adopt rules, pursuant to chapter 34.05 RCW, necessary for the  
8 enforcement and administration of this chapter;

9       (b)(i) Issue training licenses and pilot licenses to pilot  
10 applicants meeting the qualifications provided for in RCW 88.16.090 and  
11 such additional qualifications as may be determined by the board;

12       (ii) Establish a comprehensive training program to assist in the  
13 training and evaluation of pilot applicants before final licensing; and

14       (iii) Establish additional training requirements, including a  
15 program of continuing education developed after consultation with pilot  
16 organizations, including those located within the state of Washington,  
17 as required to maintain a competent pilotage service;

18       (c) Maintain a register of pilots, records of pilot accidents, and  
19 other history pertinent to pilotage;

1 (d) Determine from time to time the number of pilots necessary to  
2 be licensed in each district of the state to optimize the operation of  
3 a safe, fully regulated, efficient, and competent pilotage service in  
4 each district;

5 (e) Annually fix the pilotage tariffs for pilotage services  
6 (~~performed aboard vessels as required by~~) provided under this  
7 chapter: PROVIDED, That the board may fix extra compensation for extra  
8 services to vessels in distress, for awaiting vessels, for all vessels  
9 in direct transit to or from a Canadian port where Puget Sound pilotage  
10 is required for a portion of the voyage, or for being carried to sea on  
11 vessels against the will of the pilot, and for such other services as  
12 may be determined by the board: PROVIDED FURTHER, That the board shall  
13 fix a charge in the Puget Sound pilotage district tariff designed to  
14 reimburse a pilot association for the costs incurred in the prior year  
15 for pilot retirement plans in effect on January 1, 2009, which costs  
16 shall include payments made by the association under plans in both  
17 pilotage districts. However, under no circumstances shall the state be  
18 obligated to fund or pay for any portion of retirement payments for  
19 pilots or retired pilots;

20 (f) File annually with the governor and the chairs of the  
21 transportation committees of the senate and house of representatives a  
22 report which includes, but is not limited to, the following: The  
23 number, names, ages, pilot license number, training license number, and  
24 years of service as a Washington licensed pilot of any person licensed  
25 by the board as a Washington state pilot or trainee; the names,  
26 employment, and other information of the members of the board; the  
27 total number of pilotage assignments by pilotage district, including  
28 information concerning the various types and sizes of vessels and the  
29 total annual tonnage; the annual earnings or stipends of individual  
30 pilots and trainees before and after deduction for expenses of pilot  
31 organizations, including extra compensation as a separate category; the  
32 annual expenses of private pilot associations, including personnel  
33 employed and capital expenditures; the status of pilotage tariffs,  
34 extra compensation, and travel; the retirement contributions paid to  
35 pilots and the disposition thereof; the number of groundings, marine  
36 occurrences, or other incidents which are reported to or investigated  
37 by the board, and which are determined to be accidents, as defined by  
38 the board, including the vessel name, location of incident, pilot's or

1 trainee's name, and disposition of the case together with information  
2 received before the board acted from all persons concerned, including  
3 the United States coast guard; the names, qualifications, time  
4 scheduled for examinations, and the district of persons desiring to  
5 apply for Washington state pilotage licenses; summaries of dispatch  
6 records, quarterly reports from pilots, and the bylaws and operating  
7 rules of pilotage organizations; the names, sizes in deadweight tons,  
8 surcharges, if any, port of call, name of the pilot or trainee, and  
9 names and horsepower of tug boats for any and all oil tankers subject  
10 to the provisions of RCW 88.16.190 together with the names of any and  
11 all vessels for which the United States coast guard requires special  
12 handling pursuant to their authority under the Ports and Waterways  
13 Safety Act of 1972; the expenses of the board; and any and all other  
14 information which the board deems appropriate to include;

15 (g) Make available information that includes the pilotage act and  
16 other statutes of Washington state and the federal government that  
17 affect pilotage, including the rules of the board, together with such  
18 additional information as may be informative for pilots, agents,  
19 owners, operators, and masters;

20 (h) Appoint advisory committees and employ marine experts as  
21 necessary to carry out its duties under this chapter;

22 (i) Provide for the maintenance of efficient and competent pilotage  
23 service on all waters covered by this chapter; and do such other things  
24 as are reasonable, necessary, and expedient to insure proper and safe  
25 pilotage upon the waters covered by this chapter and facilitate the  
26 efficient administration of this chapter.

27 (2) The board may pay stipends to pilot trainees under subsection  
28 (1)(b) of this section.

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