

FINAL BILL REPORT

SHB 1905

FULL VETO

Synopsis as Enacted

Brief Description: Modifying limitations for certain vessels exempt from the pilotage act.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Orcutt and Clibborn).

House Committee on Transportation
Senate Committee on Transportation

Background:

Vessels operating in the Puget Sound or Grays Harbor pilotage districts are subject to compulsory pilotage unless they qualify for an exemption. Compulsory pilotage requires a vessel to employ a licensed pilot while navigating the Puget Sound and Grays Harbor pilotage districts. The Board of Pilotage Commissioners (Board) trains and licenses marine pilots, maintains a register of pilots and records of pilot accidents, determines the necessary number of pilots to be licensed in each pilotage district, sets pilotage rates, enforces pilotage laws, and provides for the maintenance of pilotage services to ensure proper and safe pilotage.

United States (U.S.) flagged vessels operating exclusively on a coastwise endorsement, a fishery endorsement, or a recreational endorsement, and all U.S. and Canadian vessels engaged exclusively in the coasting trade on the West Coast of the U.S., including Alaska and British Columbia, are exempt from pilotage requirements in the Puget Sound and Grays Harbor pilotage districts. Any vessel inbound to or outbound from a Canadian port is also exempt from pilotage requirements if the vessel employs a pilot licensed by the Pacific Pilotage Authority (the pilot licensing authority for the Western District of Canada), is communicating using the vessel traffic system, has appropriate navigational charts, and uses only certain specified waters in the northwest of the Puget Sound Pilotage District.

The Board may grant an exemption from pilotage requirements upon written petition and notice and opportunity for a hearing for the following vessels: (1) small passenger vessels that are not more than 500 gross tons in volume, do not exceed 200 feet in overall length, and are operated exclusively in the Puget Sound Pilotage District and lower British Columbia; and (2) yachts that are not more than 750 gross tons and do not exceed 200 feet in overall length. Gross tonnage is a nonlinear measure of a ship's overall internal volume. The

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exemption must not be detrimental to the public interest with respect to safe operations in preventing the loss of human lives, loss of property, and protecting the marine environment.

The Board is required to review any exemptions granted to the specified classes of small vessels when in the public interest to ensure that each exempted vessel remains in compliance with the original exemption, and to maintain a file with all petitions for exemption, a roster of vessels granted exemptions, and the Board's written decisions setting forth its findings for grants of exemption. The Board may revoke an exemption when a vessel is not in compliance with the exemption's terms. Applicants for an exemption or renewal of an exemption must pay a fee to the Board, as established by rule. The fee may not exceed \$1,500.

The Merchant Marine Credential is a credential issued by the U.S. Coast Guard in accordance with guidelines of the International Convention on Standards of Training, Certification, and Watchkeeping to U.S. seafarers to provide evidence of a mariner's qualifications. Canadian Certificates of Competency are issued to seafarers who meet all criteria required to qualify to the level or certificate issued in accordance with Canada's Marine Personnel Regulations.

Summary:

Maximum vessel volumes permitted to be considered for possible exemption from the mandatory use of a Board-licensed pilot while navigating the Puget Sound and Grays Harbor pilotage districts are increased for the following vessels, which may not be longer than 200 feet: (1) small passenger vessels that are not larger than 1,300 gross tons and operate exclusively in the Puget Sound Pilotage District and lower British Columbia; and (2) yachts that are not larger than 1,300 gross tons.

For a small passenger vessel to be eligible for possible exemption from the mandatory use of a marine pilot it must also be staffed either by: (1) U.S.-licensed deck and engine officers with Merchant Mariner Credentials issued by the U.S. Coast Guard appropriate to the size of the vessel; or (2) Canadian deck and engine officers with Canadian-issued Certificates of Competency appropriate to the size of the vessel.

Votes on Final Passage:

House	98	0
Senate	47	1

Effective: