

HOUSE BILL REPORT

SSB 5262

As Passed House:

April 5, 2017

Title: An act relating to limitations for certain vessels exempt from the pilotage act.

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

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King and Hobbs).

Brief History:

Committee Activity:

Transportation: 3/16/17, 3/22/17 [DP].

Floor Activity:

Passed House: 4/5/17, 97-0.

Brief Summary of Substitute Bill

- Increases the maximum vessel volume permitted for possible exemption from the mandatory use of a marine pilot for small passenger vessels from 500 gross tons to 1,300 gross tons, and for yachts from 750 gross tons to 1,300 gross tons.
- Requires that small passenger vessels be staffed by United States (U.S.) licensed deck and engine officers with specified U.S.-issued credentials or by Canadian deck and engine officers with specified Canadian-issued credentials to be eligible for possible exemption from the mandatory use of a marine pilot.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 24 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman, Gregerson, Hayes, Irwin, Kloba, Lovick, McBride, Morris, Ortiz-Self, Pellicciotti, Pike, Riccelli, Rodne, Shea, Stambaugh, Tarleton and Van Werven.

Staff: Jennifer Harris (786-7143).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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 (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 Canadian ports 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 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 renewing an exemption must pay a fee to the Board, as established by rule. The fee may not exceed \$1,500.

Summary of Bill:

Maximum vessel volumes permitted to be considered for possible exemption from the mandatory use of a marine 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.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is the same bill as the version of House Bill 1905 that passed out of the House of Representatives. For the purpose of the pilotage exemption, the bill more correctly aligns the 200 feet in length maximum with a vessel volume that is more appropriate for that size of vessel. It is important for Clipper Navigations that this bill passes because, without the exemption, Clipper will not be able to bring larger vessels into the area without a pilot. Clipper would like to increase boat sizes to transport more people to Victoria. While few in numbers, these vessels mean a great deal for local communities and can drive significant economic activity.

(Opposed) None.

Persons Testifying: Lisa Thatcher, Clipper Navigations; and Peter Schrappen, Northwest Marine Trade Association.

Persons Signed In To Testify But Not Testifying: None.