

Exh. MM-37
Docket TP-220513
Witness: Michael Moore

**BEFORE THE STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

Docket No. TP-220513

**EXHIBIT TO TESTIMONY OF
Captain Michael Moore
ON BEHALF OF
PACIFIC MERCHANT SHIPPING ASSOCIATION**

HB 1647 (Chapter 123, Laws of 2019)

FEBRUARY 10, 2023

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1647

Chapter 123, Laws of 2019

66th Legislature
2019 Regular Session

MARINE PILOT REST PERIODS

EFFECTIVE DATE: July 28, 2019

Passed by the House March 6, 2019
Yeas 92 Nays 5

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 10, 2019
Yeas 46 Nays 0

CYRUS HABIB

President of the Senate

Approved April 24, 2019 2:00 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1647** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 25, 2019

**Secretary of State
State of Washington**

HOUSE BILL 1647

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Representatives Chapman, Boehnke, Barkis, Ortiz-Self, Shewmake, and Goodman; by request of Board of Pilotage Commissioners

Read first time 01/25/19. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to mandatory rest periods for pilots; and
2 amending RCW 88.16.103.

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

4 **Sec. 1.** RCW 88.16.103 and 2008 c 128 s 7 are each amended to
5 read as follows:

6 (1) Pilots (~~and pilot trainees, after completion of an~~
7 ~~assignment or assignments which are seven hours or longer in~~
8 ~~duration,~~) shall ((receive)) have a mandatory rest period of
9 ((seven)) at least ten hours with an opportunity for eight hours of
10 uninterrupted sleep after completion of an assignment; excluding
11 multiple assignments within a harbor area, as defined by the board of
12 pilotage commissioners, provided the combined total duration of
13 assignment time does not exceed thirteen hours.

14 (2) Pilots shall have a mandatory rest period that mitigates
15 fatigue caused by circadian misalignment after three consecutive
16 night assignments, as defined by the board of pilotage commissioners.

17 (3) A pilot ((~~or pilot trainee~~)) shall refuse a pilotage
18 assignment if the pilot ((~~or pilot trainee~~)) is physically or
19 mentally fatigued or if the pilot ((~~or pilot trainee~~)) has a
20 reasonable belief that the assignment cannot be carried out in a
21 competent and safe manner. Upon refusing an assignment under this

1 subsection, a pilot (~~or pilot trainee~~) shall submit a written
2 explanation to the board within forty-eight hours. (~~If the board~~
3 ~~finds that the pilot's or pilot trainee's written explanation is~~
4 ~~without merit, or reasonable cause did not exist for the assignment~~
5 ~~refusal, such pilot or pilot trainee may be subject to the provisions~~
6 ~~of RCW 88.16.100.~~

7 ~~(3))~~ (4) A pilot trainee shall not take a training program trip
8 if the pilot trainee is physically or mentally fatigued or if the
9 pilot trainee has reasonable belief that the training program trip
10 cannot be carried out in a competent and safe manner.

11 (5) The board shall quarterly review the dispatch records of
12 pilot organizations or pilot's quarterly reports to ensure the
13 provisions of this section are enforced. The board may prescribe
14 rules for rest periods pursuant to chapter 34.05 RCW.

Passed by the House March 6, 2019.
Passed by the Senate April 10, 2019.
Approved by the Governor April 24, 2019.
Filed in Office of Secretary of State April 25, 2019.

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