

thereon shall be paid into the registry of the juvenile court and shall be disbursed to such person, persons, agency, or governmental department as the court shall find to be entitled thereto.

Such judgments shall remain as valid and enforceable judgments for a period of (~~six~~) ten years subsequent to the entry thereof.

NEW SECTION. Sec. 10. Sections 2 through 7 of this act are each added to chapter 13.34 RCW.

Passed the Senate March 9, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 196

[Senate Bill No. 3230]

### MARINE PILOT LIABILITY

AN ACT Relating to pilotage; adding new sections to chapter 88.16 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 88.16 RCW a new section to read as follows:

The preservation of human life and property associated with maritime commerce on the pilotage waters of this state is declared to be in the public interest, and the limitation and regulation of the liability of pilots licensed by the state of Washington is necessary to such preservation and is deemed to be in the public interest.

NEW SECTION. Sec. 2. There is added to chapter 88.16 RCW a new section to read as follows:

Pilots licensed by this state are authorized to limit their liability by special contracts or tariffs containing substantially the terms and provisions of the following form:

#### "PILOT LIABILITY

The rates and charges named in this tariff do not include marine insurance insuring the vessel, its owners, agents, or operators from the consequences of negligence or errors in the judgment of the particular pilots supplying the services. Upon reasonable notice from the vessel, its master, owners, agents, or operator, the pilots, parties hereto, will provide such insurance on a "trip" basis to the value of the vessel and its cargo, the premium of which will be assessed in addition to the rates and charges specified herein.

The election of the vessel, its master, owners, agents, or operators not to request pilots, parties hereto, to procure such insurance and to elect to have the pilots, parties hereto, perform services on the rates and charges specified

herein shall constitute a binding and irrevocable agreement on the part of the vessel, its master, owners, agents, or operators to the terms and conditions of the following:

It is understood and agreed, and is the essence of the contract under which the services of the pilot are tendered to the vessel, its master, and owners, that:

(1) The services rendered hereunder are rendered by a pilot duly and regularly licensed by the state of Washington pursuant to chapter 88.16 RCW, or with respect to domestic vessels, a state pilot who holds a valid license issued by the federal government;

(2) Such services are advisory in nature only, the master of the vessel remaining at all times in full command of the vessel;

(3) The services of the pilot are accepted on the express understanding that the master, owners, and operators covenant and agree to indemnify and hold harmless the pilot in respect to any liability including but not limited to suits or actions directly against the pilot by third parties by reason of errors or omissions of the pilot in the performance of pilotage services; excepting, however, such personal liability and rights over as may arise by reason of the wilful misconduct or gross negligence of the pilot; and

(4) The fees charged for the services rendered by the pilot under this agreement have been computed and are assessed in accordance with and based upon the above stipulations and the regulations governing pilot tariffs adopted by the board of pilotage commissioners pursuant to chapter 88.16 RCW.

NEW SECTION. Sec. 3. There is added to chapter 88.16 RCW a new section to read as follows:

The board shall adopt such regulations as necessary for the implementation of section 2 of this act, and shall designate the appropriate forms as required, shall make all provisions as necessary for coordination of sections 1 through 3 of this act, and shall keep accurate and complete records as necessary of the insurance and limited liability agreements as allowed in section 2 of this act.

NEW SECTION. Sec. 4. Prior to January 5, 1983, the board of pilotage commissioners shall forward to the legislature and governor a report concerning the implementation of sections 1 through 3 of this act.

Passed the Senate April 24, 1981.

Passed the House April 16, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.