

CHAPTER 273

[Engrossed House Bill No. 701]

AIRCRAFTS—DOWNED AIRCRAFT TRANSMITTERS AND SURVIVAL KITS
REQUIRED ON CERTAIN AIRCRAFT

AN ACT Relating to aircraft and airmen; amending RCW 14.16.080; and adding a new section to chapter 14.16 RCW.

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

Sec. 1. Section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080 are each amended to read as follows:

Any aircraft used to carry persons or property for compensation (~~(after January 1, 1970)~~), or any aircraft that is rented or leased without a pilot, shall be equipped with a fully functional downed aircraft rescue transmitter and it shall be unlawful for any person to operate such aircraft without such a transmitter: PROVIDED, HOWEVER, Nothing in this section shall apply to (1) ~~((The rental or lease of an aircraft without a pilot; (2)))~~ Instructional flights by an air school, with the exception of solo flights by students; ~~((3))~~ (2) aircraft owned by and used exclusively in the service of the United States government; ~~((4))~~ (3) aircraft registered under the laws of a foreign country; ~~((5))~~ (4) aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft; and ~~((6))~~ (5) aircraft used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public conveyance and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended.

NEW SECTION. Sec. 2. A new section is added to chapter 14.16 RCW to read as follows:

(1) Any aircraft used to carry persons or property for compensation, or any aircraft that is rented or leased without a pilot shall be equipped with a survival kit consisting of those items prescribed by the department of transportation, which shall include, at least the following: (a) A tube tent or similar sheltering device; (b) a horn, whistle, or similar audible device capable of emitting a signal one-quarter of a mile; (c) a mirror; (d) matches; (e) a candle and/or another fire-starting device; and (f) survival instruction.

(2) It shall be unlawful for any person to operate such aircraft without such a survival kit: PROVIDED, HOWEVER, That nothing in this section shall apply to: (a) Instructional flights by an air school, with the exception of solo flights by students; (b) aircraft owned by and exclusively in the service of the United States government; (c) aircraft registered under the laws of a foreign country; (d) aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft; and (e) aircraft used by any

air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public conveyance and necessity under the provisions of the federal aviation act of 1958, Public Law 85-726, as amended.

Passed the House April 21, 1987.

Passed the Senate April 16, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.

CHAPTER 274

[Substitute House Bill No. 1098]

KEYSTONE SPIT AND OLYMPIC PENINSULA LAND EXCHANGE— CONVEYANCE PROVISIONS ESTABLISHED

AN ACT Relating to exchanges of tidelands on the Olympic peninsula; and creating a new section.

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

NEW SECTION. Sec. 1. (1) The state parks and recreation commission shall enter into an agreement with the federal government to exchange state-owned tidelands included in the seashore conservation area described in RCW 43.51.650 that are adjacent to or within the Olympic National Park, exclusive of any tidelands within the boundaries of any Indian reservation, for the parcel of land known as the Keystone Spit which is located south of Admiralty Inlet and including a portion of Crockett Lake on Whidbey Island, if the federal government should acquire the parcel known as Keystone Spit.

If the state parks and recreation commission and the federal government enter into an agreement to exchange Keystone Spit for state-owned tidelands included in the seashore conservation area, the department of natural resources shall transfer to the state parks and recreation commission quitclaim deed title to the tidelands to be exchanged.

(2)(a) The provision relating to equal value exchange of RCW 43.51-.210 is waived for purposes of this section.

(b) The voting requirements under RCW 43.51.210 for land exchanges are waived for purposes of this section.

(3) Any conveyance document between the state and the federal government relating to the land exchange in subsection (1) of this section shall contain the provisions set forth in RCW 43.51.675 and P.L. 99-635 and shall state that the tidelands shall continue to be open to fishing and to the taking of shellfish in conformity with the laws and rules of the state of Washington and shall further state that the national park service agrees to consult with the state parks and recreation commission regarding the adoption of any rules or changes in management policies and agrees to endeavor to accommodate the state's interests.