21.90 Charter Vessel Inspections

Date Issued: May 9, 2014

I. Purpose
This Directive provides guidance to enforcement and consultation staff regarding Charter Boat inspections under Chapter 88.04 RCW, the Charter Boat Safety Act.

II. Scope and Application
This Directive applies to all DOSH operations statewide, and replaces all previous instructions on this issue, whether formal or informal.


III. Background
DOSH is responsible for implementing and enforcing the requirements of Chapter 88.04 RCW, the Charter Boat Safety Act. The Act requires the department “to inspect or provide for the inspection of every charter boat once every 5 years with the vessel in the water, and once every twenty-four months with the vessel in drydock, to determine if the vessel and its equipment comply with the rules promulgated by the department and with applicable state and federal laws and regulations.” The section also provides for the department to inspect such vessels “if the department has reasonable cause to believe either that a provision of this chapter has been violated or that an inspection is necessary to ensure the safety of persons or property on the vessel.”

“Charter boat” is defined in RCW 88.04.015(3) as a vessel or barge operating in Washington state waters which is not inspected or licensed by the United States Coast Guard (USCG) and over which the USCG does not exercise jurisdiction and which is rented, leased, or chartered to carry more than six persons or cargo.

RCW 88.04.025(1) provides that no such vessel may be operated unless it has a valid certificate of inspection from either the department or the USCG.

IV. Enforcement Policies
A. The Marine & Dock Supervisor is responsible for ensuring that the operators of all licensed charter vessels are aware of the need to renew their certificate of inspection.

B. The Marine & Dock Supervisor is responsible for scheduling the inspections and ensuring that any determinations based on them are made in accordance with applicable DOSH and USCG guidelines.
C. Only designated and qualified Marine & Dock inspectors are permitted to conduct Charter Boat Inspections. A fully qualified charter vessel inspector would have a full understanding of vessel stability (including how to perform a simplified stability test), sea worthiness and overall safety afloat. The inspector must also have a working knowledge of wooden hull and fiber-reinforced plastic (FRP) hull vessels. Proof of these qualifications would be the successful completion of a vessel inspection course recognized by the United States Coast Guard, such as the USCG Marine Inspector Course in Yorktown, VA.

D. Annual Charter Boat inspections are requested by and scheduled through the owner of the vessel(s). The owner pays the department a fee to inspect the vessel(s). This inspection is not a DOSH compliance inspection and is not entered into the WIN system. This inspection is to ensure the vessel(s) meet the requirements of Chapter 296-115 WAC, and applicable USCG regulations. After successful completion of this inspection, the charter vessel is issued a license from the department that will expire in one year. If deficiencies are found during the inspection, the department will not issue a license until the deficiencies have been corrected. The owner of the vessel will be advised that it may not be operated as a charter boat until the deficiencies have been corrected.

E. In the event that hazards not associated with the vessel inspection are observed during the licensing inspection, such as employees exposed to the hazard of drowning while working on a dock without the use of PFDs or deficiencies with a maritime crane, the Marine & Dock inspector must contact the Marine & Dock Supervisor to report the hazards. The Marine & Dock Supervisor will decide whether to assign a compliance inspection to the inspector conducting the Charter Boat licensing inspection or assign another Marine & Dock inspector. Any such inspection must be conducted in accordance with all applicable guidance in the DOSH Compliance Manual and must be entered into the WIN system.

In the event that specific situations require further guidance, staff should consult the Marine & Dock Supervisor.

V. **Who to Contact**

If DOSH staff have questions or need additional guidance or interpretive assistance regarding charter vessel inspections, they are encouraged to contact Jim Rone, Maritime Supervisor, at (206) 515-2863.

VI. **Expiration Date**

This Directive will expire 2 years from the effective date, or earlier, if replaced by some other method of sufficient guidance.

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Approved: 
Anne F. Soiza, Assistant Director  
Division of Occupational Safety and Health  
Department of Labor and Industries