

WAC 352-78-110 Who is exempt from having to carry a commission-issued boater education card when operating a motor vessel? A commission-issued boater education card is not required by the following persons:

(1) The operator of a vessel engaged in a lawful commercial fishery operation as licensed by the department of fish and wildlife under Title 77 RCW. However, the person when operating a vessel for recreational purposes must carry either a valid commercial fishing license issued by the department of fish and wildlife or a boater education card;

(2) Any person who possesses a valid marine operator license issued by the United States Coast Guard when operating a vessel authorized by such coast guard license. However, the person when operating a vessel for recreational purposes must carry a valid marine operator license issued by the United States Coast Guard or a boater education card;

(3) Any person who is legally engaged in the operation of a vessel that is exempt from vessel registration requirements under chapter 88.02 RCW and applicable rules and is used for purposes of law enforcement or official government work. However, the person when operating a vessel for recreational purposes must carry a boater education card;

(4) Any person at least twelve years old renting, chartering, or leasing a motor driven boat or vessel with an engine power of fifteen horsepower or greater who completes a commission-approved motor vessel safety operating and equipment checklist each time before operating the motor driven boat or vessel, except that an operator of a personal watercraft shall comply with the age requirements under RCW 79A.60.190;

(5) Any person who is not a resident of Washington state and who does not operate a motor driven boat or vessel with an engine power of fifteen horsepower or greater in waters of the state for more than sixty consecutive days;

(6) Any person who is not a resident of Washington state and who holds a current out-of-state or out-of-country certificate or card that is equivalent to the rules adopted by the commission;

(7) Any person who has purchased the boat or vessel within the last sixty days, and has a bill of sale in his or her possession to document the date of purchase;

(8) Any person, including those less than twelve years of age, who are involved in practicing for, or engaging in, a permitted racing event where a valid document has been issued by the appropriate local, state, or federal government agency for the event, and is available for inspection on-site during the racing event;

(9) Any person who is accompanied by and is under the direct supervision of a person sixteen years of age or older who is in possession of a commission-issued boater education card, or who is not yet required to possess the card.

(10) Any person who is not yet required to have a commission-issued boater education card under the phased schedule in WAC 352-78-090; and

(11) Any person born before January 1, 1955.

[Statutory Authority: RCW 79A.05.310, chapter 79A.60 RCW and 2005 c 392, §§ 1 through 5 codified in chapter 79A.60 RCW. WSR 05-23-128, § 352-78-110, filed 11/21/05, effective 12/22/05.]