

WAC 296-17A-1404 Classification 1404.

1404-06 Vessels, ferries, tugs, and steamboats, N.O.C.

Applies to employees not covered under federal jurisdiction, or another classification (N.O.C.), who provide services for seaworthy vessels such as ferries, tugs, or steamboats at the docking site or on adjacent land. Vessels may operate seasonal or year-round. Employments include, but are not limited to, dock workers, maintenance workers, traffic control personnel, and night security personnel.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

1404-07 Train rides

Applies to establishments engaged in the operation of passenger excursion train rides for scenic or amusement purposes on an intra-state basis only. Excursion train rides are typically operated from a mountain, lake or similar site. The trains may operate on a seasonal basis in direct relation to the volume of tourists, weather conditions, or dates of local celebration. Employments in this classification include, but are not limited to, drivers/engineers, guides, lecturers, hostesses, and maintenance personnel. Ticket sellers may be reported separately in classification 4904 provided that they do not handle baggage and that the conditions of the standard exception general reporting rules have been met. On-board food service personnel may be reported separately in classification 3905 as long as their duties are limited to food service and they do not facilitate the train ride or train ride operation in any way.

1404-11 Escort and pilot cars

Applies to establishments that provide escort or pilot car services for others. The duties include driving ahead of, or behind, various types of vehicles.

This classification excludes employees of an employer assigned to drive escort or pilot cars in connection with the delivery of equipment, buildings, goods, or similar items which the employer sells or contracts to deliver. Such employment is reported separately in the classification applicable to sales or delivery of such items. For example, an escort driver employed by a common carrier transporting a modular home to a customer's site is reported separately in classification 1102.

1404-12 Cabulance and paratransit

Applies exclusively to establishments that provide on-demand, nonemergency transportation services to passengers with special needs. Vehicles used are usually vans that are equipped for accessibility to accommodate passengers with mobility limitations including passengers in wheelchairs or gurneys. Work contemplated by this classification includes, but is not limited to, operation of the vehicle, assisting passengers in and out of the vehicle, and maintenance/repair of the vehicle when performed by employees of an employer subject to this classification.

This classification excludes:

- Cabulance services offered in conjunction with a taxi service; see classification 1401;
- Cabulance services offered in conjunction with an ambulance service which are reported separately in classification 1405;

- Paratransit services offered in conjunction with a municipal bus or transit system which are included in classification 0803 or 1501 as appropriate;
- Ambulance services which are reported separately in classification 1405;
- Limousine drivers; see classification 6301; and
- Dispatchers with no other duties who are reported separately in classification 4904.

Special note: Care should be exercised in determining what type of cabulance service is being provided. This classification is not to be assigned when provided as an incidental part of a taxi cab service subject to classification 1401. A cabulance service as defined in this rule will need a specialized van or bus to transport passengers as opposed to a passenger automobile that is not equipped to accommodate special mobility needs. The transportation service must be prearranged.

[Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 15-19-081, § 296-17A-1404, filed 9/15/15, effective 10/16/15. Statutory Authority: RCW 51.04.020, 51.16.035, and 51.16.100. WSR 11-24-022, § 296-17A-1404, filed 11/30/11, effective 1/1/12. WSR 07-01-014, recodified as § 296-17A-1404, filed 12/8/06, effective 12/8/06. Statutory Authority: RCW 51.04.020, 51.16.035, and 51.12.120. WSR 03-23-025, § 296-17-544, filed 11/12/03, effective 1/1/04. Statutory Authority: RCW 51.16.035, 51.04.020. WSR 00-14-052, § 296-17-544, filed 7/1/00, effective 7/1/00. Statutory Authority: RCW 51.16.035. WSR 99-18-068, § 296-17-544, filed 8/31/99, effective 10/1/99; WSR 98-18-042, § 296-17-544, filed 8/28/98, effective 10/1/98. Statutory Authority: RCW 51.04.020(1) and 51.16.035. WSR 91-12-014, § 296-17-544, filed 5/31/91, effective 7/1/91. Statutory Authority: RCW 51.16.035. WSR 87-12-032 (Order 87-12), § 296-17-544, filed 5/29/87, effective 7/1/87; WSR 85-24-032 (Order 85-33), § 296-17-544, filed 11/27/85, effective 1/1/86; WSR 83-24-017 (Order 83-36), § 296-17-544, filed 11/30/83, effective 1/1/84; WSR 82-24-047 (Order 82-38), § 296-17-544, filed 11/29/82, effective 1/1/83; Order 73-22, § 296-17-544, filed 11/9/73, effective 1/1/74.]