

5482

2009-2010 Regular Sessions

I N S E N A T E

May 11, 2009

Introduced by Sens. SAVINO, LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the navigation law, in relation to clarifying the continuity of a deck of a vessel for the determination of pilotage units used in calculating pilotage fees

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (c) of subdivision 4 of section 88 of the naviga-
2 tion law, as added by chapter 197 of the laws of 1990, is amended to
3 read as follows:

4 (c) Definitions. "Overall length" is the distance between the forward
5 and after extremities of the vessel.

6 "Extreme breadth" is the maximum breadth to the outside of the shell
7 plating of the vessel.

8 "Depth" is the vertical distance at amidships from the top of the keel
9 plate to the uppermost continuous deck, fore and aft, and which extends
10 to the sides of the vessel. The continuity of a deck shall not be
11 considered to be affected by the existence of OPENINGS, INCLUDING BUT
12 NOT LIMITED TO tonnage openings, engine spaces or a step in the deck.

13 All measurements shall be in feet and inches (U.S.).

14 The board of commissioners of pilots shall be the sole arbiter with
15 respect to a question concerning these definitions. The decision by the
16 board shall be final.

17 S 2. Paragraph (c) of subdivision 4 of section 89-a of the navigation
18 law, as added by chapter 197 of the laws of 1990, is amended to read as
19 follows:

20 (c) Definitions: "Overall length" is the distance between the forward
21 and after extremities of the vessel.

22 "Extreme breadth" is the maximum breadth to the outside of the shell
23 plating of the vessel.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 "Depth" is the vertical distance at amidships from the top of the keel
2 plate to the uppermost continuous deck fore and aft, and which extends
3 to the sides of the vessel. The continuity of a deck shall not be
4 considered to be affected by the existence of OPENINGS, INCLUDING BUT
5 NOT LIMITED TO tonnage openings, engine space or a step in the deck.

6 All measurements shall be in feet and inches (U.S.).

7 The board of commissioners of pilots shall be the sole arbiter with
8 respect to a question concerning these definitions. The decision by the
9 board shall be final.

10 S 3. Paragraph (c) of subdivision 4 of section 89-b of the navigation
11 law, as added by chapter 197 of the laws of 1990, is amended to read as
12 follows:

13 (c) Definitions. "Overall length" is the distance between the forward
14 and after extremities of the vessel.

15 "Extreme breadth" is the maximum breadth to the outside of the shell
16 plating of the vessel.

17 "Depth" is the vertical distance at amidships from the top of the keel
18 plate to the uppermost continuous deck, fore and aft, and which extends
19 to the sides of the vessel. The continuity of a deck shall not be
20 considered to be affected by the existence of OPENINGS, INCLUDING BUT
21 NOT LIMITED TO tonnage openings, engine spaces, or a step in the deck.

22 All measurements shall be in feet and inches (U.S.).

23 The board of commissioners of pilots shall be the sole arbiter with
24 respect to a question concerning these definitions. The decision by the
25 board shall be final.

26 S 4. This act shall take effect immediately.