

STATE OF NEW YORK

6703

2019-2020 Regular Sessions

IN ASSEMBLY

March 15, 2019

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Transportation

AN ACT to amend the navigation law, in relation to exempting certain vessels from the compulsory state pilotage requirement

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 88 of the navigation law, as
2 amended by chapter 943 of the laws of 1971, is amended to read as
3 follows:

4 1. Every foreign vessel and every American vessel under register
5 entering or departing from the Port of New York by the way of Sandy Hook
6 or by the way of Sands Point or Execution Rocks, shall take a Sandy Hook
7 pilot licensed under the authority of this article or of the laws of the
8 state of New Jersey or a person heretofore licensed as a Hell Gate
9 pilot. Notwithstanding the above, certain recreational vessels of less
10 than two hundred feet in length may be exempted from the compulsory
11 state pilotage requirement at the discretion of the board of commission-
12 ers of pilots. Whenever the services of such a pilot are refused, the
13 master, owners or consignees, shall pay pilotage as if one had been
14 employed. Such pilotage shall be paid to the pilot first speaking or
15 offering his services as pilot to such vessel. The pilotage authorized
16 to be collected whenever a pilot shall be refused by a vessel shall be
17 sued for and recovered in the name of the pilot tendering such service.
18 Such pilotage, when recovered, shall belong to and may be retained by
19 such pilot for his own benefit and use. Certain recreational vessels may
20 be exempted from the compulsory state pilotage requirement pursuant to
21 this subdivision at the discretion of the board of commissioners of
22 pilots.

23 § 2. Subdivision 1 of section 89-a of the navigation law, as amended
24 by chapter 838 of the laws of 1960, is amended to read as follows:

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

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1 1. Every foreign vessel and every American vessel under register,
2 except vessels proceeding otherwise than by sea and of less than three
3 hundred gross registered tons and having a fully loaded draft of seven
4 feet or less, entering or departing from the Hudson river north of a
5 line running from the foot of Main street, Yonkers, west to Alpine, New
6 Jersey, or navigating any of the waters of the Hudson river north of
7 said line and south of the dam at Troy, New York, shall take a Hudson
8 river pilot licensed under the authority of this article. Notwithstand-
9 ing the above, certain recreational vessels of less than two hundred
10 feet in length may be exempted from the compulsory state pilotage
11 requirement at the discretion of the board of commissioners of pilots.

12 Whenever the services of such a pilot are refused, the master, owners or
13 consignees shall pay pilotage as if one had been employed. Such pilotage
14 shall be paid to the pilot first speaking or offering his services as
15 pilot to such vessel. The pilotage authorized to be collected whenever a
16 pilot shall be refused by a vessel shall be sued for and recovered in
17 the name of the pilot tendering such service. Such pilotage, when recov-
18 ered, shall belong to and may be retained by such pilot for his own
19 benefit and use. Certain recreational vessels may be exempted from the
20 compulsory state pilotage requirement pursuant to this subdivision at
21 the discretion of the board of commissioners of pilots.

22 § 3. Subdivision 1 of section 89-b of the navigation law, as amended
23 by chapter 732 of the laws of 1991, is amended to read as follows:

24 1. Every foreign vessel and every American vessel under register tran-
25 siting the New York state waters of Long Island Sound or Block Island
26 Sound east of Execution Rocks or Sands Point, and any such vessels
27 entering or departing from any port situated on the New York state
28 waters of Long Island Sound east of Execution Rocks or Sands Point,
29 shall take a Long Island-Block Island Sound pilot licensed under the
30 authority of this article. Every foreign vessel and every American
31 vessel under register transiting the New York state waters of Long
32 Island Sound or Block Island Sound east of a line running southeasterly
33 from the mouth of the Byram River at the New York-Connecticut boundary
34 to Oak Neck Point on Long Island shall take a pilot licensed under the
35 authority of this article or the laws of any other state having concur-
36 rent jurisdiction over these waters. Notwithstanding the above, certain
37 recreational vessels of less than two hundred feet in length may be
38 exempted from the compulsory state pilotage requirement at the
39 discretion of the board of commissioners of pilots. Whenever the
40 services of such a pilot are refused, the master, owners or consignees
41 shall pay pilotage as if one had been employed. The pilotage authorized
42 to be collected whenever a pilot shall be refused by a vessel shall be
43 sued for and recovered in the name of the pilot tendering such service.
44 Such pilotage, when recovered, shall belong to and may be retained by
45 such pilot for his own benefit and use. Certain recreational vessels may
46 be exempted from the compulsory state pilotage requirement pursuant to
47 this subdivision at the discretion of the board of commissioners of
48 pilots.

49 § 4. This act shall take effect immediately.