

STATE OF NEW YORK

8949

IN ASSEMBLY

January 6, 2020

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 a chapter of the laws of 2019, amending the navigation law
3 relating to exempting certain vessels from the compulsory state pilotage
4 requirement, as proposed in legislative bills numbers S. 4200-A and A.
5 6703-A, is amended to read as follows:

6 1. Every foreign vessel and every American vessel under register
7 entering or departing from the Port of New York by the way of Sandy Hook
8 or by the way of Sands Point or Execution Rocks, shall take a Sandy Hook
9 pilot licensed under the authority of this article or of the laws of the
10 state of New Jersey or a person heretofore licensed as a Hell Gate
11 pilot. Notwithstanding the provisions of this subdivision, recreational
12 vessels as defined in section 2101[~~(25)~~] (34) of title 46 of the United
13 States Code of less than two hundred feet in length may be exempted from
14 the compulsory state pilotage requirement at the discretion of the board
15 of commissioners of pilots. Whenever the services of such a pilot are
16 refused, the master, owners or consignees, shall pay pilotage as if one
17 had been employed. Such pilotage shall be paid to the pilot first speak-
18 ing or offering his services as pilot to such vessel. The pilotage
19 authorized to be collected whenever a pilot shall be refused by a vessel
20 shall be sued for and recovered in the name of the pilot tendering such
21 service. Such pilotage, when recovered, shall belong to and may be
22 retained by such pilot for his own benefit and use. Recreational vessels
23 as defined in section 2101[~~(25)~~] (34) of title 46 of the United States
24 Code may be exempted from the compulsory state pilotage requirement
25 pursuant to this subdivision at the discretion of the board of commis-
26 sioners of pilots.

27 § 2. Subdivision 1 of section 89-a of the navigation law, as amended
28 by a chapter of the laws of 2019, amending the navigation law relating

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

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1 to exempting certain vessels from the compulsory state pilotage require-
2 ment, as proposed in legislative bills numbers S. 4200-A and A. 6703-A,
3 is amended to read as follows:

4 1. Every foreign vessel and every American vessel under register,
5 except vessels proceeding otherwise than by sea and of less than three
6 hundred gross registered tons and having a fully loaded draft of seven
7 feet or less, entering or departing from the Hudson river north of a
8 line running from the foot of Main street, Yonkers, west to Alpine, New
9 Jersey, or navigating any of the waters of the Hudson river north of
10 said line and south of the dam at Troy, New York, shall take a Hudson
11 river pilot licensed under the authority of this article. Notwithstand-
12 ing the provisions of this subdivision, recreational vessels as defined
13 in section 2101[~~(25)~~] (34) of title 46 of the United States Code of less
14 than two hundred feet in length may be exempted from the compulsory
15 state pilotage requirement at the discretion of the board of commission-
16 ers of pilots. Whenever the services of such a pilot are refused, the
17 master, owners or consignees shall pay pilotage as if one had been
18 employed. Such pilotage shall be paid to the pilot first speaking or
19 offering his services as pilot to such vessel. The pilotage authorized
20 to be collected whenever a pilot shall be refused by a vessel shall be
21 sued for and recovered in the name of the pilot tendering such service.
22 Such pilotage, when recovered, shall belong to and may be retained by
23 such pilot for his own benefit and use. Recreational vessels as defined
24 in section 2101[~~(25)~~] (34) of title 46 of the United States Code may be
25 exempted from the compulsory state pilotage requirement pursuant to this
26 subdivision at the discretion of the board of commissioners of pilots.

27 § 3. Subdivision 1 of section 89-b of the navigation law, as amended
28 by a chapter of the laws of 2019, amending the navigation law relating
29 to exempting certain vessels from the compulsory state pilotage require-
30 ment, as proposed in legislative bills numbers S. 4200-A and A. 6703-A,
31 is amended to read as follows:

32 1. Every foreign vessel and every American vessel under register tran-
33 siting the New York state waters of Long Island Sound or Block Island
34 Sound east of Execution Rocks or Sands Point, and any such vessels
35 entering or departing from any port situated on the New York state
36 waters of Long Island Sound east of Execution Rocks or Sands Point,
37 shall take a Long Island-Block Island Sound pilot licensed under the
38 authority of this article. Every foreign vessel and every American
39 vessel under register transiting the New York state waters of Long
40 Island Sound or Block Island Sound east of a line running southeasterly
41 from the mouth of the Byram River at the New York-Connecticut boundary
42 to Oak Neck Point on Long Island shall take a pilot licensed under the
43 authority of this article or the laws of any other state having concur-
44 rent jurisdiction over these waters. Notwithstanding the provisions of
45 this subdivision, recreational vessels as defined in section 2101[~~(25)~~]
46 (34) of title 46 of the United States Code of less than two hundred feet
47 in length may be exempted from the compulsory state pilotage requirement
48 at the discretion of the board of commissioners of pilots. Whenever the
49 services of such a pilot are refused, the master, owners or consignees
50 shall pay pilotage as if one had been employed. The pilotage authorized
51 to be collected whenever a pilot shall be refused by a vessel shall be
52 sued for and recovered in the name of the pilot tendering such service.
53 Such pilotage, when recovered, shall belong to and may be retained by
54 such pilot for his own benefit and use. Recreational vessels as defined
55 in section 2101[~~(25)~~] (34) of title 46 of the United States Code may be

1 exempted from the compulsory state pilotage requirement pursuant to this
2 subdivision at the discretion of the board of commissioners of pilots.
3 § 4. This act shall take effect on the same date and in the same
4 manner as a chapter of the laws of 2019, amending the navigation law
5 relating to exempting certain vessels from the compulsory state pilotage
6 requirement, as proposed in legislative bills numbers S. 4200-A and A.
7 6703-A, takes effect.