STATE OF NEW YORK

4200--A

2019-2020 Regular Sessions

IN SENATE

March 4, 2019

Introduced by Sens. LANZA, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

1. Every foreign vessel and every American vessel under register entering or departing from the Port of New York by the way of Sandy Hook or by the way of Sands Point or Execution Rocks, shall take a Sandy Hook pilot licensed under the authority of this article or of the laws of the state of New Jersey or a person heretofore licensed as a Hell Gate pilot. **Notwithstanding the provisions of this subdivision, recreational vessels as defined in section 2101(25) of title 46 of the United States Code of less than two hundred feet in length may be exempted from the compulsory state pilotage requirement at the discretion of the board of commissioners of pilots.** Whenever the services of such a pilot are refused, the master, owners or consignees, shall pay pilotage as if one had been employed. Such pilotage shall be paid to the pilot first speaking or offering his services as pilot to such vessel. The pilotage authorized to be collected whenever a pilot shall be refused by a vessel shall be sued for and recovered in the name of the pilot tendering such service. Such pilotage, when recovered, shall belong to and may be retained by such pilot for his own benefit and use. **Recreational vessels as defined in section 2101(25) of title 46 of the United States Code may be exempted from the compulsory state pilotage requirement pursuant to**

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

LBD09703-03-9

this subdivision at the discretion of the board of commissioners of pilots.

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

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

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

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

§ 4. This act shall take effect immediately.